

**OFFICIAL INFORMATION\*\*CONFIDENTIAL\*\*EVIDENCE CODE SECTION 1040  
INTRADEPARTMENTAL CORRESPONDENCE**

DATE: February 24, 2020  
TO: Honorable Board of Police Commissioners  
FROM: Inspector General  
SUBJECT: OFFICER-INVOLVED SHOOTING 013-19 FOR 3/3/20 CLOSED-SESSION AGENDA

<u>Division</u>	<u>Date</u>	<u>Time</u>	<u>Duty-On (X) Off ( )</u>	<u>Uniform-Yes (X) No ( )</u>
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Central	4/14/19	2:15 p.m.		
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<u>Officer(s) Involved in Use of Force</u>	<u>Length of Service</u>
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Luna, J./PO III	20 years, 11 months
Nielson, B./PO III	16 years, 9 months

Total Involved Officer(s)

1 x Sgt. II  
2 x PO III

<u>Suspect</u>	<u>Deceased (X)</u>	<u>Wounded ( )</u>	<u>Non-Hit ( )</u>
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William Ty Crawford: Male White, 47 years of age.

**COP Recommendations**

**Tactics** – Administrative Disapproval, Officers Luna and Nielson.

**Drawing/Exhibiting** – In Policy, No Further Action, Officers Luna and Nielson.

**Lethal Use of Force** – In Policy, No Further Action, Officers Luna and Nielson.

**IG Recommendations**

**Tactics** – Administrative Disapproval, Officers Luna and Nielson. *Tactical Debrief, Sergeant Yzaguirre.*

**Drawing/Exhibiting** – Same as COP.

**Lethal Use of Force** – Same as COP.

## **Table of Contents**

I.	Investigation	
i.	Annotated Force Investigation Division (FID) Incident Summary	p. 3
II.	Chief of Police Report	
i.	Chief of Police Findings	p. 37
ii.	Chief of Police Analysis	p. 37
III.	Inspector General Review	
i.	Inspector General Analysis	p. 56
ii.	Inspector General Recommendations	p. 56

## INVESTIGATION

### Annotated Force Investigation Division (FID) Incident Summary<sup>1</sup>

**Synopsis:** Metropolitan Division uniformed officers were working an overtime detail at Transit Services Division (TSD). Officers located a carjacking suspect at a pay kiosk outside of a train platform entrance. The officers went in foot pursuit of the suspect to an alcove on a sidewalk on Hope Street, south of 7<sup>th</sup> Street. The suspect produced a sawed-off shotgun from his backpack and pointed it in the direction of one of the officers, resulting in an Officer-Involved Shooting (OIS). The suspect was struck multiple times and succumbed to his injuries at scene.

### **Investigative Summary**

**The following investigative summary is based upon witnesses and officers' statements, third party video from the Sheraton Grand Hotel and Metropolitan Transit Authority (MTA) surveillance cameras, and Communications Division (CD) audio recordings, as well as physical evidence. Officers assigned to Transit Services Division details are not issued Body Worn Video (BWV) cameras, therefore, the OIS was not captured on BWV. Any discrepancies are noted either in indented or investigators' notes.**

On March 9, 2019, Victim Alexis C. returned to her residence in North Hollywood Division, where she was confronted by her ex-boyfriend, William Crawford, who pointed a gun at her head. Alexis was able to escape and telephoned police.<sup>2</sup> North Hollywood Area uniformed patrol officers responded and searched the area for Crawford but were unsuccessful in locating him. An Assault with a Deadly Weapon with a Firearm report was generated, DR No. 1915-07593.

**Note:** On March 27, 2019, a no bail warrant for probation revocation was issued on Crawford. On April 8, 2019, Crawford's family members reported to County of Los Angeles Sheriff's Department, Lost Hills Sheriff station that he was calling them and threatening to kill them and kill himself. A Criminal Threats report was generated, Report No. 919-01828-2258.

On April 9, 2019, Crawford was at Extra Space Storage, located at 7400 Coldwater Canyon Avenue. At approximately 1900 hours, Crawford pointed a sawed-off shotgun at Victim Rafael Berko and demanded his car keys, cell phone and money. According

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<sup>1</sup> The Incident Summary presented here is reproduced from FID's report regarding this case, and is supplemented with annotations by the OIG. All OIG annotations are referenced as an "OIG Note." All other references and citations in the reproduced FID Incident Summary (e.g., Investigators' Notes or Addenda Items) are reproduced directly from FID's report. Unless otherwise stated, all information provided in OIG annotations is derived from FID's investigation of this incident.

<sup>2</sup> William Ty Crawford, 47 years of age, CII A08461401.



to Berko, he asked Crawford if he was kidding and Crawford replied, *"I'm on a suicide run. I have nothing to lose."*<sup>3</sup> After giving Crawford the items, Crawford locked Berko inside of his storage locker and drove away in Berko's Ford F150, silver in color, California License 29145N2. Once Berko freed himself from the storage locker he telephoned police. North Hollywood Division uniformed officers responded and generated a Robbery/Carjacking report, DR No. 1915-09183.

**Note:** Berko's vehicle was recovered, unoccupied, on April 10, 2019, in Hollywood Division.

On April 9, 2019, North Hollywood Detective Sean Mahoney, Serial No. 24138, Major Assault Crimes, initiated an Officer Safety Crime Alert regarding Crawford, under CAD ID No. 15190409-1.

North Hollywood investigators contacted Metropolitan Division Crime Impact Team (CIT) Sergeant II Chris Yzaguirre, Serial No. 27097, briefed him on Crawford, and requested CIT assistance.<sup>4</sup> On April 10, 2019, Metropolitan Division CIT began an operation in conjunction with North Hollywood Robbery Detectives, to locate and capture Crawford.

**Note:** Sergeant Yzaguirre obtained information from Crawford's family members that Crawford may be in the area of Sunset Boulevard and Franklin Avenue in a gray 4 door Dodge Charger. At approximately 1345 hours, a surveillance operation was held in Hollywood Division wherein the operational objectives were discussed, which were locating and arresting Crawford. Sergeant Yzaguirre disseminated Crawford's criminal history and descriptors to Metropolitan Division CIT officers, which included Officer Luna. CIT was unsuccessful in their attempts to locate Crawford at this time.

On April 11, 2019, a search warrant affidavit was obtained for Crawford's Verizon Wireless cellphone in order to track its location.

**Note:** Sergeant Yzaguirre was working with North Hollywood Division Detective II Timothy Kirkpatrick, Serial No. 32185, who authored the search warrant and Detective III Noah Stone, Serial No. 34372. Neither detective was interviewed for this incident. They had no direct contact with either involved officer and had no first-hand knowledge of the OIS. All information provided by them to Sergeant Yzaguirre was prior to the incident.

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<sup>3</sup> Los Angeles Police Department, Investigative Report of Robbery/Carjacking, DR No. 1915-09183, Page No. 3.

<sup>4</sup> Sergeant Yzaguirre, Male, 53 years of age, 29 years 6 months with the Department.



**OIG Note No. 1:** *Prior to this OIS incident, Sergeant Yzaguirre had been involved in several unsuccessful operations that were undertaken to locate and arrest Crawford. On April 11th, Sergeant Yzaguirre received notification that Crawford's cellular phone had pinged within a 1400-meter location radius range in Hollywood Division. Sergeant Yzaguirre assembled a 15-person team and conducted an extensive grid search, covering an area of about one square mile; the team was unsuccessful, however, and Crawford remained at-large.<sup>5</sup>*

*On April 13th, Sergeant Yzaguirre was off-duty when he received another ping notification indicating that Crawford's cellular phone was within a 1000 to 1400-meter location radius range in the downtown area. Sergeant Yzaguirre contacted his supervisor, Captain Valenzuela, and told him that he had developed a plan to use the crime suppression team to circle the area in an attempt to locate the suspect; if Crawford was located, the team would use "standard operating procedures," call for a backup, get an airship en route, and call in extra resources. The team that Sergeant Yzaguirre had assembled unsuccessfully checked the area for two to three hours before Crawford's phone went dead.<sup>6</sup>*

On April 14, 2019, between 1241 hours and 1356 hours, Sergeant Yzaguirre was off duty, when he received e-mail notifications regarding updates of Crawford's cellular telephone location. The range on the notification from Crawford's Verizon phone showed a location radius range from 403 to 448 meters. Sergeant Yzaguirre was able to determine that Crawford's cellular telephone was within a 400-meter radius in the area of West 7<sup>th</sup> Street and Flower Street, an area that he was aware Metropolitan Division CIT officers may be working Transit Services Division (TSD) overtime details.

On Sunday, April 14, 2019, at approximately 1300 hours, Metropolitan Division uniformed Police Officers III Jaime Luna, Serial No. 34651, and Bradley Nielson, Serial No. 36445, were assigned to the TSD overtime detail.<sup>7</sup> They were assigned Unit 31FB304 W4, to a fixed post assignment at the 7<sup>th</sup> and Metro Station located at West 7<sup>th</sup> Street and Hope Street.<sup>8</sup>

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<sup>5</sup> Sergeant Yzaguirre's statement, Page 10, Lines 2-17.

<sup>6</sup> Sergeant Yzaguirre's statement, Page 14, Line 14 through Page 15, Line 4.

<sup>7</sup> Officer Luna, Male, 44 years of age, 20 years 11 months with the Department. Officer Luna was assigned to the Metropolitan Division Crime Impact Team (CIT). Officer Luna was equipped with his ballistic vest, a Department-approved handgun, PR-24 side handle baton, OC spray, Hobble Restraint Device, flashlight and holstered Model X26P TASER. Officer Nielson, Male, 40 years of age, 16 years 9 months with the Department. Officer Nielson was assigned to Metropolitan Division C Platoon. Officer Nielson was equipped with his ballistic vest, Department-approved handgun, PR-24 side handle baton, flashlight, OC spray, Hobble Restraint Device and a holstered Model X26P TASER.

<sup>8</sup> The officers' working hours were from 1300 to 2200 hours. The officers parked their police vehicles at the 7<sup>th</sup> Street entrance to the Metro-7<sup>th</sup> Street center and went Code Six on their fixed post with CD at 1342:18 hours.



**Note:** Officers Luna and Nielson stated that they had trained and worked together in the past when both were assigned C platoon at Metropolitan Division. According to Officer Luna, they had also once previously worked the TSD overtime detail together and had discussed contact/cover roles. Additionally, according to Officer Luna, de-escalation and contact and cover topics were covered in their roll call. According to Officer Nielson, they did not discuss tactics or contact/cover assignments at the beginning of their watch.

At approximately 1350 hours, Sergeant Yzaguirre sent a group text to Metropolitan Division CIT officers inquiring who was working the TSD detail. Metropolitan Division Police Officer III Timothy Jang, Serial No. 38902 called Sergeant Yzaguirre in response to the text message. In speaking with Officer Jang, Sergeant Yzaguirre learned that Officer Luna was also working the detail and assigned to 7<sup>th</sup> and Metro. At approximately 1353 hours, Sergeant Yzaguirre telephonically contacted Officer Luna to advise him of Crawford's cellular activity in the area of his TSD assignment.

**OIG Note No. 2:** *In his interview with FID, Sergeant Yzaguirre initially said that Officer Jang called him in response to the group text. Later in the interview, Sergeant Yzaguirre clarified his recollection, stating, "I don't recall getting a return on it, so I took it on my own to call for the two that I thought would usually work overtime, and the first one I called was Officer Jang."*<sup>9</sup> *Officer Jang told Sergeant Yzaguirre that Officer Luna was working the TSD detail in the area of 7<sup>th</sup> and Metro, so Sergeant Yzaguirre then called Officer Luna.*

**Note:** In his transcript, Sergeant Yzaguirre referred to 7<sup>th</sup> and Metro as 7<sup>th</sup> and Union. There is no MTA station designated as 7<sup>th</sup> and Union.

At approximately 1354 hours, Sergeant Yzaguirre sent Officer Luna text messages of a Google map screen of the 7<sup>th</sup> Street and Flower Street area, with a pinpoint of the cellular telephone location along with a photograph of Crawford. According to Sergeant Yzaguirre, his intent on notifying Officer Luna of Crawford's cellular activity was for officer safety. According to Officer Luna, he took Sergeant Yzaguirre's phone call as officer safety information and as a warning to be aware of his surroundings.

**Note:** Neither Sergeant Yzaguirre, Officer Luna nor Officer Nielson notified TSD or Central Division about Crawford possibly being in the area.

During his interview, Sergeant Yzaguirre stated that he sent various texts to Force Investigation Division (FID) investigators, supplying them with case information. FID investigators obtained copies of all Sergeant Yzaguirre's

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<sup>9</sup> Sergeant Yzaguirre's statement, Page 29, Lines 20-23.



case notes, which include information that was supplied to investigators. These notes are maintained in the FID case book.

**OIG Note No. 3:** *Officer Luna was asked by FID what Sergeant Yzaguirre told him regarding Crawford. According to Officer Luna, the sergeant told him, "His [Crawford's] phone is pinging in that area, 7<sup>th</sup> and Metro where you're at." Officer Luna continued, "He [Sergeant Yzaguirre] sent the picture and everything. He's like, 'Yeah, it's hitting in that area so just, you know, be aware.'" Officer Luna was then asked by FID whether Sergeant Yzaguirre gave him any direction "about what to do with that". Officer Luna replied, "No. I mean just to be aware."*<sup>10</sup>

According to Officer Nielson, Officer Luna advised him that he was notified of a suspect wanted for criminal threats and carjacking while armed with a shotgun, who was within an approximate 400-meter radius of their location. Officer Luna showed Officer Nielson a picture of Crawford and informed him that Crawford was approximately six feet tall, 170 pounds and had a full-sleeve tattoo on his right arm.

**OIG Note No. 4:** *Officer Luna said that he already had extensive knowledge about Crawford prior to receiving the call from Sergeant Yzaguirre. He said that he had been on a previous detail that had tried to locate Crawford, and that he knew the details of the crimes Crawford was wanted for as well as Crawford's physical descriptors. In contrast, he said that Officer Nielson had no prior knowledge of the suspect. Officer Luna stated, "I just briefed him as far as, you know, he did get the background that we were - - you know, we were looking for this guy last week and what he was wanted for and what he used, what fire - - what type of weapon he had during the commission of the crime."*<sup>11</sup>

**Note:** According to Officer Luna, he and Officer Nielson discussed that in the event they locate Crawford, they would broadcast a backup and request additional units prior to making contact. Officer Luna also stated that officers did not discuss contact/cover specifically in this incident.

According to Officer Nielson, he believed that they would only make a positive identification, then call for a backup, and Officer Luna would coordinate with CIT personnel to take the suspect into custody. Officer Nielson did not communicate his understanding to Officer Luna.

**OIG Note No. 5:** *FID investigators asked Officer Luna about any "game planning" the officers discussed prior to contacting Crawford. Officer Luna stated, "The game planning was done like once we - - once we got the information and everything, I tell him, hey, if we do encounter him,*

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<sup>10</sup> Officer Luna's statement, Page 26, Lines 4-16.

<sup>11</sup> Officer Luna's statement, Page 23, Lines 5-10.



*whatever, you know, we'll put out the backup and, you know, we'll - - you know, we'll ask for additional resources and we'll take him into custody."*<sup>12</sup>

*Officer Nielson was asked by FID investigators whether the officers had a plan in case they saw the suspect. Officer Nielson stated, "I believe our mission was just to - - just to verify is this - - this person that we're looking for."*<sup>13</sup> *He later stated, "So, our tactical plan was just take a cruise through and see if we find somebody that - - that matches that description and ID that - - ID that guy. I think if we did get eyes on the suspect then he was going to coordinate with Sergeant Yzaguirre to have the CIT Unit actually do the apprehension."*<sup>14</sup>

Investigators obtained surveillance video from "The BLOC" shopping area located at 700 South Flower Street. The video did not contain audio. At approximately 1409:05 hours, the video captured Crawford walking west on the south sidewalk of 7<sup>th</sup> Street. Crawford can then be seen walking north, toward stairs that lead to the lower level shopping area and walk down the stairs. At 1409:52 hours, the video captured Crawford reach the lower level, walk to his left, and around a Starbuck's Coffee Store, in the direction of the 7<sup>th</sup>/Metro Transit area. At approximately 1410:10 hours, video captured Crawford walk downstairs into the 7<sup>th</sup>/Metro Transit area.

Investigators also obtained surveillance video from Metropolitan Transit Authority (MTA). The video did not contain audio. At 1410:21 hours, surveillance video captured Crawford reach the mezzanine level of the transit area. At 1410:37 hours, the video captured Crawford attempt to scan his Transit Access Pass (TAP) card at a turnstile; however, the doors did not open.<sup>15</sup> Crawford turned and walked toward the TAP kiosks, which were located along the wall, where he appeared to make a transaction. Officers Luna and Nielson continued their foot beat patrol at the 7<sup>th</sup> and Metro Center transit area. At approximately 1412 hours, the officers walked down to the mezzanine level from "The BLOC" shopping area. Officers observed a male White, with tattoos on his right arm, wearing a short-sleeved shirt, pants, a baseball hat, and a black backpack, standing in front of a TAP kiosk near the east opening of 7<sup>th</sup> Street and Hope Street. The male was later identified as William Crawford (Issues and Concerns No. 1).

**Note:** Officers Luna and Nielson did not positively identify this person as William Crawford at this time.

According to Officer Nielson, Crawford carried the backpack over both shoulders.

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<sup>12</sup> Officer Luna's statement, Page 72, Lines 18-24.

<sup>13</sup> Officer Nielson's statement, Page 17, Lines 9-11.

<sup>14</sup> Officer Nielson's statement, Page 17, Line 22, through Page 18, Line 2.

<sup>15</sup> A transaction history of Crawford's TAP card showed a remaining balance of \$1.50. At the time of the incident, a ticket cost \$1.75.



According to Officer Luna, as officers walked by Crawford, he could only see Crawford's right-side profile and was unable to positively identify him. According to Officer Nielson, officers were approximately ten to twelve feet from Crawford when they first observed him.

**Note:** According to Officer Luna, he believed they were approximately 10 yards from Crawford when he first observed him at the TAP machine.

According to Officer Nielson, they then stood approximately ten to twelve feet behind Crawford and waited for him to turn around, to confirm his identity. As they waited, the officers looked at Crawford's photograph on Officer Luna's cellphone; however, Crawford never turned in the officers' direction. Crawford turned away from the kiosk, walked to the escalator and rode up to the shopping level above. According to officers, they followed behind Crawford, at a distance of approximately 20 to 30 yards.

**Note:** At 1412:30 hours, MTA video captured Officers Luna and Nielson walking downstairs into the mezzanine level of the transit area. At this time, Crawford had been at the TAP kiosks for approximately two minutes. Crawford quickly glanced over to his right, in the direction of the officers, and then looked at the machine, where he remained for approximately nineteen seconds before walking toward the escalator to the shopping area. At 1413:24 hours, MTA video captured Officers Luna and Nielson go up the escalator to the shopping level.

The investigation determined that Crawford was in possession of a single TAP card at the time of the incident. The TAP card showed insufficient funds and verified that Crawford had not entered any Metro transit system on the day of the incident. According to Officer Nielson, Crawford walked past officers as he went toward the upstairs shopping level.

According to Officer Luna, the male's height, ethnicity, his tattooed arm and his backpack, caused him to pause. In order to eliminate him as Crawford, Officer Luna wanted to see his face.

**Note:** According to Officer Luna, he felt that this was not Crawford and intended to follow him to see his face and eliminate him as the suspect.

According to Officer Luna, he did not update their status or request additional units because officers had not yet confirmed Crawford's identity.

According to Officer Nielson, Officer Luna told him that he believed that this was the suspect and he wanted to get a better look at him. With regards to why Officer Nielson didn't request additional resources at that



time, he stated, "In my mind Officer Luna was handling the - - like the tactical planning aspect of it with the CIT folks."<sup>16</sup>

**OIG Note No. 6:** According to his statement to FID investigators, Officer Luna was not sure whether or not this male was Crawford, but he was concerned that it could be. Officer Luna stated, "I mean, I just didn't - - like I said, when I saw him, it was just a male white that had tattoos on his arm, that - - like to me, I didn't think it was - - I didn't think it was him. It was just this person that somewhat matched. And like I said, I wanted to eliminate him and by eliminating him, my - - my - - the way I was going to eliminate him was to be able to see his face. So that's the reason we were just walking and I was hoping that he would turn back. And that way I could see his face, whether it was him or not. But I mean, I didn't - - like, it wasn't even a - - it wasn't really like a 50/50. It was like one of those, like, oh, you know, what do you think about that guy, you know, type of thing. He has - - you know, he has the hide. And as the tattoos type of thing, but I mean, like I said, I was expecting more to see him in the Charger. I didn't - - I didn't expect him to be downstairs in that area. So I didn't think it was - - I didn't - - I didn't feel it was him, so that's why I wasn't requesting additional units because I didn't - - it's just a male White with - - that has that same height and has tattoos in his arm. It wasn't nothing distinctive like a specific tattoo. If I would have seen a specific tattoo, if I would have known he had a specific tattoo, and I would see that tattoo, now that, it would have made me believe a little bit more that, hey, you know what, this is possibly the guy. Like I said, there was - - those were the indicators that I had also that his head was missing two front teeth, possibly missing two front teeth. I never saw his face. And even when I saw his face, I can't even remember if he had those two front teeth or if he didn't."<sup>17</sup>

**OIG Note No. 7:** At this point, Officer Nielson was not certain what actions he and his partner were going to take. He stated, "At the - - at the Red Line kiosk, as he started going up he had a little bit of a lead. I think as Officer Luna was kind of thinking - - thinking and looking at the pictures so I still wasn't sure if we were going to - - if we were going to follow him or if we were going to call it off or if we were just going to keep looking around for somebody else."<sup>18</sup>

Crawford walked through the shopping level and walked up the stairs to the landing to West 7<sup>th</sup> Street, followed by Officers Luna and Nielson, who maintained an approximate 20 to 30-yard distance. According to Officer Luna, in order to have Crawford turn

<sup>16</sup> Officer Nielson's statement, Page 40, Lines 15-17.

<sup>17</sup> Officer Luna's statement, Page 69, Line 7 through Page 70, Line 16.

<sup>18</sup> Officer Nielson's statement, Page 19, Lines 17-23.



around, he yelled, "Excuse me, sir!" Officer Luna stated, *"I tried to grab his attention, so he could turn in my direction, so I could positively identify him if it was the guy that I - that I knew that was possibly in the area that was wanted in connection for a crime. So, at that point that's - I yelled in his direction, 'Excuse me, sir,' and he didn't even turn whatsoever."*<sup>19</sup>

Crawford then walked down approximately five steps onto the sidewalk of West 7<sup>th</sup> Street, and then walked east on the south sidewalk, toward Hope Street, out of Officer Luna's sight. According to Officer Luna, he was uncertain if Crawford heard him and in order to close the distance to Crawford, Officer Luna jogged a couple of steps. Surveillance video captured Officers Luna and Nielson jog down the five steps, onto the south sidewalk of 7<sup>th</sup> Street, and Officer Luna remove his hat with his right hand. It appeared to Officer Luna that Crawford may have also "picked up his pace" because Officer Luna opined that Crawford maintained an approximate 20-yard distance in front of the officers. At this time, Officer Luna again, more loudly, yelled, *"Excuse me, sir!"*

**Note:** According to Officer Luna, Crawford walked down two steps to reach the sidewalk onto West 7<sup>th</sup> Street.

According to Officer Nielson, he believed that Officer Luna stated something to the effect of, *"We'd like to talk to you or I'd like to talk to you for a second."*<sup>20</sup>

The surveillance video from "The BLOC" captured Crawford walking from the direction of the transit area, in front of the Starbucks Coffee shop, toward the stairs that lead to the street level. At approximately 1413:44, the video captured Crawford begin to walk up the stairs as Officers Luna and Nielson emerge from the side of the Starbucks Coffee shop and walk toward the stairs. The video then captured Crawford at the top of the stairs, walking in a northeast direction, toward 7<sup>th</sup> Street. Officers Luna and Nielson are captured following Crawford. Crawford is then captured walking, on the south sidewalk, east on 7<sup>th</sup> Street followed by Officers Luna and Nielson.

In response, Crawford turned his head to his right and quickly looked behind him, in the direction of Officers Luna and Nielson, and ran east toward Hope Street on the south sidewalk of West 7<sup>th</sup> Street. According to Officer Luna, *"It looked just like the picture and, you know, he appeared startled."*<sup>21</sup> It was at this time that Officer Luna positively identified Crawford. Officer Luna ran east behind Crawford on the south sidewalk of West 7<sup>th</sup> Street, followed by Officer Nielson. Officer Luna ordered Crawford to stop, identifying themselves as police officers. According to Officer Nielson, officers were approximately 40 to 50 feet behind Crawford.

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<sup>19</sup> Officer Luna's statement, Page 9, Line 22 through Page 10, Line 4.

<sup>20</sup> Officer Nielson's statement, Page 8, Lines 6-7.

<sup>21</sup> Officer Luna's statement, Page 37, Lines 22-23.



**Note:** According to Officer Luna, he believed he stated, "That's him," to Officer Nielson upon positively identifying Crawford.

Crawford continued running east, in the crosswalk, across South Hope Street, and then south on the east sidewalk of Hope Street. Officer Luna began to traverse across Hope Street when, approximately half-way through the crosswalk, Officer Luna ran diagonally, in a southeast direction, toward the east curb, to parallel Crawford, who was still on the east sidewalk. Regarding his decision to parallel Crawford, Officer Luna stated, *"I knew the direction that he was running, that he started running. And for me, it was easier to track him if I ran along the ... So I just figured, you know, for me to track him along the - - along the street to give myself some distance not closing myself too much onto - - into his area or to cut him off, I tracked him along the street."*<sup>22</sup> Officer Luna additionally stated, *"I was not really in apprehension mode. My thing was more to get him to stop and request additional units to take him into custody."*<sup>23</sup>

**Note:** According to Witness Sade Williams, she was standing at the southwest corner of West 7<sup>th</sup> Street and Hope Street when she observed the foot pursuit and heard an unknown officer state, "You're going to get shot."

According to Officer Nielson, as he approached Hope Street, he looked over his left shoulder to check for traffic. As Officer Nielson looked forward in the direction of Crawford, he entered the intersection of 7<sup>th</sup> Street and Hope Street. According to Officer Nielson, it was at this time he was going to initiate a radio broadcast. According to Officer Nielson, he wasn't able to reach over for his radio to broadcast since he was running with his PR-24 in his left hand.<sup>24</sup> Officer Nielson stated, *"I was the second officer, so it was going to be my responsibility to - to broadcast a foot pursuit and such. I typically don't carry a PR-24 so traditionally when I would chase somebody I would just reach down with my left hand and take out my rover which was over my left hip and then broadcast but now my left hand had my PR-24 in it so I wasn't able to - - to reach down for my rover."*<sup>25</sup>

Crawford continued south, on the east sidewalk of Hope Street as Officers Luna and Nielson continued running south, in the street, along the east curb, to parallel Crawford while maintaining a distance of approximately 20 yards.

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<sup>22</sup> Officer Luna's statement, Page 40, Lines 7-16.

<sup>23</sup> Officer Luna's statement, Page 75, Line 21 through Page 76, Line 1.

<sup>24</sup> According to Training Division, Arrest and Control (ARCON) Sergeant II John Wolfe, Serial No. 31472, ARCON trains officers to use their primary hand to use a cross draw technique to deploy the side handle baton into the basic carry position. However, there is nothing in their curriculum or codified with the Department that states that the side handle baton cannot be held in the basic carry position with the non-primary hand.

<sup>25</sup> Officer Nielson's statement, Page 8, Line 20 through Page 9, Line 2.



**The following is an account of each officer's actions and observations during the OIS. It does not reflect the order in which each involved officer fired during the OIS. Based on civilian interviews, the officers' interviews and video evidence, it appeared that the involved officers fired their weapons at nearly the same time.**

According to Officer Luna, Crawford stopped, turned to the west in the officers' direction, and began to back himself into an alcove of the Rite Aid. According to Officer Luna, he stopped running and from a distance of approximately 24 feet stated to Crawford, *"Hey, I just want to talk to you."*

According to Officer Luna, Crawford shouted, *"I'm going to shoot you guys. I'm going to kill you guys. I'm going to shoot you. I'm going to kill you."*<sup>26</sup> In describing Crawford's demeanor at this time, Officer Luna stated, *"He looked very upset. He looked - - I mean he was upset, determined. And, you know, I was able to tell he was agitated. And like I said, angry, and he looked determined as he's telling me that - - telling us that he's going to shoot us and kill us."*<sup>27</sup> Upon hearing Crawford's threats, Officer Luna feared for the safety of him and his partner, believing that Crawford may actually pull something from his backpack and shoot and kill them, unholstered his service pistol, which he held in a two-hand low ready position, finger along the frame.

**Note:** According to Officer Nielson, the distance between Officer Luna and Crawford was approximately 15 to 18 feet.

According to Officer Luna, Crawford threw his left shoulder forward, grabbing the backpack and pulling it in front of him. As Crawford was moving the backpack in front of himself, Crawford began manipulating the zipper on the backpack and Officer Luna ordered him to drop the backpack.

Officer Nielson stopped on the curb, south of a planter, which was north of the alcove. According to Officer Nielson, Officer Luna had already been verbalizing with Crawford, ordering him to stop and telling him to get on the ground. Officer Nielson stated that as soon as Crawford stopped in the alcove, Crawford squared his upper body up to Officer Luna. Crawford then took a black and red backpack off of his back and swung it up and with his left hand was cradling underneath. According to Officer Nielson, Crawford unzipped the backpack and placed his right hand into the main compartment, while simultaneously stating, *"Something to the effect of, 'yeah, I'm going to shoot you' or 'yeah, I'm going to shoot you motherfucker.'"*<sup>28</sup> Believing that Crawford was arming himself, Officer Nielson threw his side handle baton into the planter in front of him as he unholstered his pistol and held it in a two-handed position, pointed towards Crawford, with his finger on the frame.

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<sup>26</sup> Officer Luna's statement, Page 47, Lines 20-24.

<sup>27</sup> Officer Luna's statement, Page 42, Lines 16-22.

<sup>28</sup> Officer Nielson's statement, Page 10, Lines 12-14.



According to Officer Luna, he observed a planter to his right, which he began to walk toward to seek cover.<sup>29</sup> As Officer Luna moved to his right, toward the planter, Crawford began to remove a shotgun from his backpack. According to Officer Luna, he yelled, "Gun!" and began to point his pistol at Crawford and moved his finger toward the trigger.

Officer Nielson observed Crawford pulling a pistol grip and rear portion of a sawed-off shotgun out of the backpack with his right hand. Recalling an incident within the Department from years past, Officer Nielson stated, "*I was very concerned that he wasn't actually going to take the shotgun out of the bag. He was just going to fire it from that position because basically he was pointing the entire bag at Officer Luna.*"<sup>30</sup>

**OIG Note No. 8:** *In his interview with FID, Officer Nielson recalled, "I remember an incident when I was really young on the job, in Wilshire Division I think it was, when a suspect also had a shotgun in a bag and coppers went hands on with him and he fired the shotgun while it was still inside of a bag and it hit a copper in the shoulder and seriously injured him."*<sup>31</sup>

**Note:** According to Officer Nielson, he was not sure if it was himself or Officer Luna who stated "Gun!"

According to Witness Williams, Crawford unzipped his backpack and pulled out what appeared to be an automatic rifle and shot at the officers. Williams recalled that as he did so, Crawford was smiling.

The investigation determined that the firearm was a sawed-off shotgun and that Crawford did not discharge the shotgun.

According to Officer Luna, Crawford began to walk backward, toward the corner of the alcove. Crawford pulled out a small compact shotgun, with a side saddle that contained extra rounds, from the backpack, held it at waist level with two hands and pointed the shotgun directly at him. According to Officer Luna, "*That's when he was aiming it as I was moving, he's like, you know, I saw him tracking me as he - - as he was pulling it out.*"<sup>32</sup> According to Officer Luna, as he moved to his right toward the planter, he simultaneously torqued his upper torso to his left. Officer Luna feared for his life, believing the shotgun would go off any second. Officer Luna aimed his service pistol at Crawford's chest area and discharged approximately three to four rounds while moving

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<sup>29</sup> The dimensions of the planter were determined to be approximately three feet tall and three feet wide.

<sup>30</sup> Officer Nielson's statement, Page 10, Line 25 through Page 11, Line 3.

<sup>31</sup> Officer Nielson's statement, Page 10, Lines 19-24.

<sup>32</sup> Officer Luna's statement, Page 51, Lines 8-10.



towards cover, in an east direction, from an increasing distance of approximately 25 to 30 feet.

According to Officer Nielson, Crawford's right hand was on the pistol grip of the shotgun as he pointed the backpack at Officer Luna. Officer Nielson believed Officer Luna was in jeopardy of serious bodily injury or death, so he aimed his service pistol at Crawford's center body mass, in front of Crawford's right armpit area, and discharged what he believed to be three to five rounds, in a southeastern direction, from a distance of approximately 30 feet. Officer Nielson stated, *"At that point I didn't have cover. It was - the planter was too far north, and it was basically just open sidewalk between myself and the - and the suspect."*<sup>33</sup>

According to Officer Nielson, Crawford took a few steps back into the alcove, and he could no longer see him through the glass that was now shattered on the front of the building. As Officer Nielson observed Officer Luna move south towards cover, Officer Nielson kept his service pistol pointed toward Crawford's last known location and moved southbound to "pie" the corner of the alcove, using it as cover in order to regain sight on Crawford.

According to Officer Luna, as officers discharged their pistols, Crawford backed into the corner of the alcove. Officer Luna stated that Crawford was upright, holding the shotgun in his hand, which was still pointed at him, but his body started to slightly go down.

According to Officer Luna, he began to lower his profile as he continued toward the planter, because the height of the planter was a little higher than waist level and he was still exposed as Crawford continued to point the shotgun at him. Officer Luna stopped just to the right side of the planter and lowered his right knee into a crouched position.

Officer Luna quickly assessed that Crawford wasn't going down, and Crawford still had the shotgun pointed at him. Officer Luna aimed his service pistol at Crawford's chest area and discharged a second volley of three to four shots at Crawford, with his last shot aimed at Crawford's head, from a distance of approximately 30 feet. Regarding his decision to take a head shot, Officer Luna stated, *"I had already shot. He wasn't going down. I didn't know if, you know, if he had some sort of ballistic, you know, vest. Because like I said, his body - - the reaction that I got was him going - - his body going backwards, but he wasn't - - he didn't fall."*<sup>34</sup>

**Note:** The investigation determined that Officer Luna fired a total of 7 rounds from an increasing distance of approximately 25 to 30 feet.

According to Officer Nielson, when he regained sight of Crawford, he observed Crawford in a seated position with his back against the north wall and his legs extended

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<sup>33</sup> Officer Nielson's statement, Page 32, Lines 4-7.

<sup>34</sup> Officer Luna's statement, Page 81, Lines 15-19.

in front of him. Crawford's backpack was on his lap as his left hand was holding the shotgun, which was between his left leg and the building.

According to Officer Nielson, Crawford looked up at Officer Luna and began to raise his left shoulder and hand while holding the shotgun. Officer Nielson believed that Crawford still had the capability and intended to shoot at Officer Luna. Officer Nielson believed that Crawford raised the shotgun up approximately one or two inches. In order to stop Crawford from firing at Officer Luna, Officer Nielson aimed his service pistol at Crawford's center body mass, near his right shoulder, and discharged approximately two to three additional rounds. Officer Nielson stated, *"I fired slower and I was able to - - to make a better assessment and he was still actively - - in my opinion, he was actively looking for Officer Luna's location to bring that shotgun towards Officer Luna."*<sup>35</sup> According to Officer Nielson, after Officer Nielson discharged his last round, Crawford's head, *"flopped over to the right and forward,"* and his left hand had also, *"slumped,"* behind his left leg.<sup>36</sup>

**Note:** The investigation determined that Officer Nielson fired a total of 7 shots from a decreasing distance from 30 to 25 feet.

A video obtained from the Sheraton Grand Hotel captured Officer Nielson's positioning at the time of the OIS. Due to the quality of the video and the distance of the camera, investigators were unable discern Officer Nielson discharging his pistol. However, it captured Officer Nielson positioned north of the alcove, south of a concrete planter. Although Officer Nielson was captured in the video during the time of his OIS, the video did not capture Officer Luna's or Crawford's position.

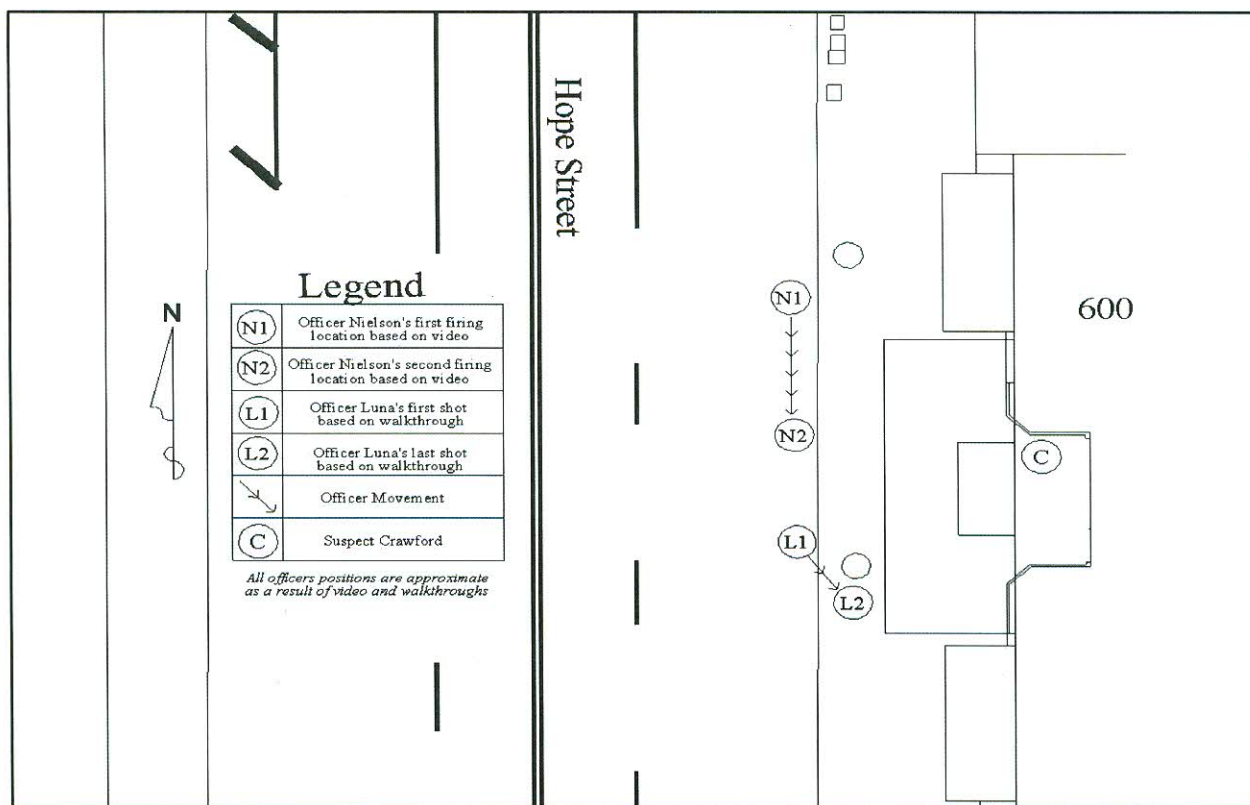
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<sup>35</sup> Officer Nielson's statement, Page 36, Lines 9-13.

<sup>36</sup> Officer Nielson's statement, Page 37, Lines 5-6.





**Note:** According to Officers Luna and Nielson, neither officer was able to see the other officer discharge their pistol; however, they were aware of their proximity to one another and could hear their partner's shots.

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**(Still frame from Video Recording of the Suspect)**

After his second volley of shots, Officer Luna assessed and observed Crawford seated against the wall, who now appeared non-responsive. Crawford's legs were on the ground, extended out in front of him and his left hand was on the shotgun, which was on the ground alongside his left leg.

Officers Luna and Nielson each placed their pistols in low ready positions as Officer Luna moved to his left, to Officer Nielson's location, and verified that neither officer was injured.

At 1414:40 hours, Officer Luna broadcast, "*31FB304, Officer needs help! Shots Fired! 7<sup>th</sup> and Hope. Officer needs help,*" over TSD frequency.

Officer Luna advised Officer Nielson that he needed to conduct a tactical reload of his pistol. As Officer Nielson covered Crawford, Officer Luna removed a full magazine from his Sam Browne, released the magazine from the pistol and inserted the full magazine. Officer Luna then placed the magazine released from his pistol into his left rear pants pocket.

According to Officer Luna, he then made a phone call to Sergeant Yzaguirre to inform him that he located Crawford and was involved in an OIS with him. Sergeant Yzaguirre, having been advised telephonically by Officer Luna that an OIS occurred, responded to the scene.



**Note:** Video footage showed Officer Luna moved north of Officer Nielson and conducted the tactical reload of his pistol. Officer Luna then appeared to use his cellphone. FID confirmed with Sergeant Yzaguirre's and Officer Luna's phone logs that the call was made at approximately 1415 hours and the duration of the call was approximately one minute (Issues and Concerns No. 2).

**The following uniformed TSD, Central Patrol Division and Metropolitan Division personnel arrived in response to the help call after the OIS:**

Uniformed Police Officer III+3 Jesus Carrillo, Serial No. 34761, and uniformed Police Officer III Javier Alvarado, Serial No. 37317, working overtime at TSD, Unit 31BRT2, arrived at scene.<sup>37</sup> Officer Carrillo stopped their police vehicle, in a southeast direction, behind, and slightly north of Officers Luna and Nielson. Officer Carrillo deployed his shotgun and assumed the role as the designated cover officer (DCO), eventually taking a position of cover behind the planter, south of the alcove. As officers continued to order Crawford to show his hands, Crawford remained unresponsive and did not move.

Central Patrol Division uniformed Police Officer III Juan Lopez, Serial No. 37646, and Police Officer II Benjamin Liu, Serial No. 42407, Unit 1FB46; Police Officer III William Cowan, Serial No. 41348, and Police Officer II Concepcion Guzman, Serial No. 38993, Unit 1A61; Police Officer III Gregory Ibanez, Serial No. 37695, and Police Officer II Victoria Avila, Serial No. 42390, Unit 1FB12; Police Officers II Chad Heistermann, Serial No. 40755 and Loi Hinh, Serial No. 37336, Unit 1FB4; Police Officer III Denny Leopoldo, Serial No. 25650, and Police Officer I Daniel Martinez, Serial No. 43733, Unit 1A29; Metropolitan Division uniformed Police Officers III Richard Jimenez, Serial No. 37488, and Clinton Weir, Serial No. 35779, Unit R163; TSD overtime Police Officers II Javier Heras, Serial No. 42403, and Alexander Aleshkevich, Serial No. 42827, Unit 31FB67; and Rampart Patrol uniformed Police Officers II Jose Barrera, Serial No. 42791, and Ruben Yah Camara, Serial No. 42823, Unit 2A92, all responded to the incident.<sup>38</sup>

**Note:** Officers Carrillo, Alvarado, Heras and Aleshkevich were not wearing BWV cameras because they were working a TSD overtime detail.

Investigators did not interview Officers Lopez, Guzman, Avila, Hinh, Martinez, Heras, Aleshkevich, Barrera and Yah Camara. The investigation revealed they did not witness the OIS nor did they have contact with Crawford.

At approximately 1417 hours, Central Patrol Division, uniformed Sergeant I Brett Rutkowski, Serial No. 40190, Unit 1L70, was the first supervisor to respond. Central

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<sup>37</sup> Officer Carrillo was regularly assigned to Emergency Services Division at the time of incident. Officer Alvarado was regularly assigned to Hollenbeck Division.

<sup>38</sup> Officer Heras was regularly assigned to 77<sup>th</sup> Division at the time of the incident. Officer Aleshkevich was regularly assigned to Wilshire Division.



Patrol Division, uniformed Sergeant I Joshua Medina, Serial No. 38401, Unit 1FB130, arrived approximately one minute later.

Upon arrival, Sergeant Rutkowski began to inquire which officers may have been involved in an OIS, at which time Officer Nielson confirmed that he and Officer Luna were involved. Sergeant Rutkowski directed Officers Luna and Nielson away from their positions and requested non-involved officers to assume Officers Luna and Nielson's positions. Sergeant Rutkowski's BWV captured Officer Nielson informing him that Crawford was armed with a shotgun in his left hand and was not yet in custody.

**Note:** Officer Luna believed it was Sergeant Ruiz that pulled him and Officer Nielson away from their positions.

The investigation later identified the non-involved officers who replaced Officers Luna and Nielson as Metropolitan Division Officers Jimenez and Weir. Officers Jimenez and Weir were not interviewed during this investigation because they did not witness the OIS and did not have contact with Crawford.

At approximately 14:18:10 hours, Officer Heras broadcast, *"(unintelligible) Get an RA rolling, a male, approximately 40, not conscious not breathing...suffering from a gunshot wound...67, it's not a Code Four yet suspect is not in custody,"* over TSD frequency.

Central Patrol Division, uniformed Sergeant I Roberto Ruiz, Serial No. 38154, Unit 1FB140, also responded and observed Officers Luna and Nielson standing off to the side. Sergeant Ruiz realized other sergeants were already at scene, and upon learning that Officers Nielson and Luna were involved in the OIS, separated and monitored them. Sergeant Ruiz walked Officers Luna and Nielson to the southwest corner of West 7<sup>th</sup> Street and Hope Street.

**Note:** Sergeant Ruiz referred to Officer Nielson as Officer Bradley throughout his interview.

According to Sergeant Medina, upon arrival he assessed the scene and took over the tactical portion of the incident. Sergeant Medina identified that Officers Jimenez and Weir, who were covering Crawford, standing at the curb line, had no cover. Sergeant Medina directed them to positions of cover behind Officers Carrillo and Alvarado's police vehicle.

Meanwhile, Officer Carrillo formulated a plan with Sergeant Medina to get an arrest team with a tactical shield to approach to take Crawford into custody. Officer Carrillo had taken a position of cover behind the planter just south of the alcove. The contact team formed up behind the same planter and consisted of: Officer Carrillo, who was armed with a shotgun as the DCO; Officer Alvarado; Officers Liu and Ibanez, who were assigned to the arrest team; Officer Lopez; Officer Barrera, who deployed a tactical shield and was armed with his pistol; Officer Cowan, who was armed with a taser and



assigned less lethal; and Sergeant Medina, who was the supervisor overseeing the contact team.

**Note:** According to Sergeant Rutkowski, the contact team utilized a police vehicle, which was parked in the street, as cover.

Prior to approaching, Sergeant Medina ordered Crawford to get his hands up. As the officers approached Crawford, Officer Barrera approached first with the ballistic shield held in his right hand, and his pistol in his left hand, finger along the frame. Officer Carrillo approached slightly to the right of Officer Barrera as the DCO. As Officer Carrillo approached, he held his shotgun at a low ready, with his finger on the safety. Officer Alvarado was to the right of Officer Carrillo. Officer Alvarado approached with his pistol at a low ready, finger along the frame. Officer Ibanez was in line behind Officer Barrera, followed by Officers Cowan, who was armed with the TASER, and Officer Lopez. Officer Liu was behind Officer Lopez, just to his right. Sergeant Medina followed the group of officers.

Officers Ibanez's BWV captured the officers approach Crawford, who was slumped against the corner wall of the alcove, his right leg folded backward, and his left leg extended out in front of him, in a southwest direction. Crawford's left hand was down on the ground next to the shotgun, which was lying alongside his left leg. According to Officer Carrillo, he believed Crawford was still breathing, and therefore still posed a threat with the shotgun. Officer Carrillo directed Officer Alvarado to grab the shotgun. Officer Alvarado holstered his pistol and placed his right gloved hand on the shotgun, grabbed it by the barrel and picked it up. Officer Alvarado walked away from the contact team and maintained possession of the shotgun, while remaining at the southwest portion of the alcove. According to Officer Alvarado, he moved the shotgun, *"Because I felt like, you know, what this - - it's - - it's not a Code 4 situation. He's not handcuffed yet. I don't know. I - - I grabbed the shotgun, moved it out of the way as he was being handcuffed."*<sup>39</sup> (Issues and Concerns No. 3)

Crawford's backpack was on the ground to his right side. According to Officer Ibanez, he slid Crawford's backpack to his right rear side to ease access to Crawford. Officer Cowan slid the backpack further away for officers' safety, in case Crawford tried to reach for it.

Officer Ibanez grabbed Crawford's right arm as Officer Liu grabbed his left arm. Officers rolled Crawford onto his stomach, face down, and handcuffed Crawford without further incident. Officer Liu then conducted a pat-down search of Crawford's left pants area and recovered a cellphone from his left rear pants pocket. Officer Ibanez conducted a pat-down search on Crawford's right side and recovered a wallet from his right rear pants pocket, which was placed on the ground next to Crawford.<sup>40</sup> Officer Cowan picked up the wallet and removed his identification card. Upon removing

<sup>39</sup> Officer Alvarado's statement, Page 16, Lines 21-24.

<sup>40</sup> Officers Liu and Ibanez were wearing protective gloves during the handcuffing and search of Crawford.



Crawford's identification card, Officer Cowan then placed Crawford's wallet back on the ground next to Crawford.



Still frame from Officer Ibanez's BWV.

**Note:** According to Officers Liu and Cowan, Crawford's identification card and social security card were removed for the purpose of completing a field identification card.

At approximately 1421 hours, Sergeant Rutkowski broadcast a Code Four and also requested an RA.

Officers Leopoldo and Heistermann walked into the alcove and approached Officer Alvarado, who was still holding Crawford's shotgun. According to Officer Heistermann, he did not know where Officer Alvarado obtained the shotgun when he walked over to assist him. According to Officer Leopoldo, Officer Alvarado mentioned that the shotgun was not cleared. Officer Heistermann donned latex gloves as he stated to Officer Alvarado that he would render it safe and took possession of the shotgun. In his decision to take the shotgun from Officer Alvarado, Officer Heistermann stated, "*I observed him looking at the shotgun in kind of a quizzical way and that's when I walked over thinking I would be helpful.*"<sup>41</sup>

In the presence of Officers Alvarado and Leopoldo, Officer Heistermann opened the barrel of the shotgun, exposing two live shotgun rounds, one round in each barrel. Officer Leopoldo's BWV captured Officer Heistermann remove the two rounds with his gloved left hand, turn his head toward Officer Leopoldo. Officer Heistermann then placed the two rounds back into the barrel, then removed them once again after Officer Leopoldo advised him to render it safe.

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<sup>41</sup> Officer Heistermann's statement, Page 31, Lines 1-4.



In his decision to direct Officer Heistermann to render the shotgun safe, Officer Leopoldo stated, *"He took them out and then he started putting them back in and that's when I said, 'Hey, they're already out, just leave them out and render it safe.'"*<sup>42</sup>

**Note:** According to Officer Heistermann, he removed the two rounds with his right hand and handed the shotgun back to Officer Alvarado.

Officer Heistermann removed one of his gloves and placed it between the barrel and the receiver of the shotgun, to prevent the barrel of the shotgun from re-latching closed. Officer Heistermann gave the two shotgun rounds to Officer Alvarado, who removed his glove, encasing the rounds inside of it (Issues and Concerns No. 4 and No. 5).<sup>43</sup>

At approximately 1422 hours, Transit Services Division uniformed Lieutenant I Hamed Mohammadi, Serial No. 36506, working overtime at TSD, Unit 31QFB510, and uniformed Sergeant II Pablo Monterrosa, Serial No. 27798, arrived at scene.<sup>44</sup> Lieutenant Mohammadi directed Officer Alvarado to set up a command post; requested additional units and supervisors; directed units to set up an inner and outer perimeter; directed units to canvass the area for witnesses and made the appropriate notifications.

According to Officer Carrillo, he turned around and observed that Crawford's shotgun had been opened and the rounds were removed. He directed Officer Alvarado not to handle the shotgun further and to keep custody of it. Officer Carrillo notified Lieutenant Mohammadi who directed TSD uniformed Sergeant II Michael Lopez, Serial No. 37047, to monitor Officer Alvarado and secure Crawford's shotgun inside Sergeant Lopez's vehicle.<sup>45</sup>

At approximately 1423 hours, Central Patrol Division Watch Commander, uniformed Lieutenant I Yasir Gillani, Serial No. 35215, Unit 1L10, went Code Six and announced himself as Incident Commander. Lieutenant Gillani coordinated with Lieutenant Mohammadi and Sergeant Monterrosa and later relinquished the role of Incident Commander to Sergeant Monterrosa, since it was a TSD incident (Investigators' Note No. 1).

**Note:** According to Lieutenant Mohammadi, this was his first TSD overtime detail and therefore, worked in conjunction with Sergeant Monterrosa as Incident Commander.

At approximately 1424 hours, Los Angeles Fire Department (LAFD), Rescue Ambulance (RA) No. 10, with Firefighter/Paramedics Ryan Ostergaard and Para

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<sup>42</sup> Officer Leopoldo's statement, Page 9, Lines 11-14.

<sup>43</sup> These issues and concerns were captured on Officer Heistermann's and Officer Leopoldo's BWV.

<sup>44</sup> Lieutenant Mohammadi was regularly assigned to Olympic Division at the time of the incident.

<sup>45</sup> The shotgun remained locked in Sergeant Lopez's trunk, which was at the CP, on Hope Street north of 7<sup>th</sup> Street, until recovered by FID personnel.



Gonzalez responded and rendered emergency medical aid. Crawford did not respond to medical treatment and Firefighter/Paramedic Gonzalez pronounced Crawford's death at 1428 hours.

Sergeant Ruiz and TSD uniformed Sergeant I Anthony White, Serial No. 27743, Unit 31FB320, separated Officers Nielson and Luna and obtained independent Public Safety Statements (PSS) from them. According to Sergeant Ruiz, while obtaining Officer Nielson's PSS, he was advised that the location directly behind Crawford, Rite Aid Pharmacy, needed to be checked for possible victims due to officers' direction of fire. Sergeant Ruiz directed Central Patrol Division, uniformed Sergeant I David Abdalian, Serial No. 34450, to check the location.

**Note:** Sergeant Abdalian checked the Rite Aid Pharmacy located at the southeast corner of West 7<sup>th</sup> Street and Hope Street and did not identify any victims.

Sergeant Ruiz stated that he believed the name of the supervisor who obtained Officer Luna's PSS was Sergeant Brown.

At approximately 1430 hours, the Department Operations Center (DOC) was notified of the OIS.

Force Investigation Division (FID) Detective II Jennifer Kim, Serial No. 36639, reviewed all documents and circumstances surrounding the separation and monitoring of the involved officers. (Addenda Nos. 1 and 2) (Issues and Concerns No. 6).

### **Scene Description**

The OIS occurred on the east pedestrian sidewalk of South Hope Street, south of West 7<sup>th</sup> Street. Hope Street is bordered by 7<sup>th</sup> Street to the north, 8<sup>th</sup> Street to the south, Flower Street to the west, and Grand Avenue to the east. Hope Street was a north/south roadway with two lanes of travel in each direction. The area consisted of the Rite-Aid Store on the east side of Hope Street and the Sheraton Grand Hotel on the west side of Hope Street. The south sidewalk of West 7<sup>th</sup> Street, west of Hope Street, consisted of the 7<sup>th</sup> and Metro transit area and "The BLOC" shopping area. The area on the east side of Hope consisted of businesses with the Rite-Aid Store located on the southeast corner of Hope Street and 7<sup>th</sup> Street.

The alcove where the OIS occurred was an unused west entrance doorway belonging to the Rite-Aid Store, located at 600 West 7<sup>th</sup> Street. The glass window display and entrance doors had been partitioned off from the store with drywall and was primarily used as a window display for the store.

The incident occurred during the hours of daylight at approximately 1415 hours and the weather conditions were sunny and clear.



## **Canvass for Witnesses**

FID investigators responded and conducted interviews with involved officers, other Department personnel, and civilian witnesses. The interviews were recorded and transcribed.

On April 14, 2019, FID, TSD and Central Division personnel canvassed the area surrounding West 7<sup>th</sup> and South Hope Street. The parameters of the canvass extended south to West 8<sup>th</sup> Street, and north of West 7<sup>th</sup> Street. Witness information was turned over to FID investigators for further investigation, and several witnesses located at the Sheraton Grand Hotel were interviewed. Witnesses heard a range of five to thirty shots. Their transcribed statements are contained in this report (Investigators' Note No. 2).

Witness Anna Shea was interviewed by FID personnel on April 14, 2019. According to Witness Shea, she was seated inside the Sheraton Hotel and observed Crawford standing "idly" leaning against the wall in the alcove for approximately five minutes prior to the OIS.

On April 17, 2019, FID detectives conducted a secondary canvass of the area surrounding the 7<sup>th</sup> Street Metro transit area, West 7<sup>th</sup> Street to Hope Street and West 7<sup>th</sup> Street to Flower Street, as well as Hope Street between West 7<sup>th</sup> and West 8<sup>th</sup> Streets. No additional witnesses were located. Unless otherwise noted, the statements of all witnesses were recorded and transcribed and are contained in the FID casebook.

## **Suspect Information**



**William Ty Crawford** was a male White with blond hair and brown eyes. At the time of this incident, he was 6 feet 4 inches tall, weighed 190 pounds, and was 47 years old, with a date of birth of November 9, 1971. He was identified by CII No. A08461401 and California Driver License No. A3388388. His criminal history consisted of five felony convictions for Burglary, Possession of Methamphetamine, Forgery, Identity Theft, and Grand Theft Auto, in which he received formal probation and time in state prison. Crawford was on probation at the time of the incident. He was not the subject of any LAPD Mental Evaluation Unit (MEU) contacts or in a criminal street gang (Addendum No. 3).

On April 15, 2019, Detective Kim completed an Investigative Report (IR), naming Crawford as a suspect of Assault with Deadly Weapon, under DR No. 1901-11377 (Addendum No. 4).

## **Injuries**

At approximately 1424 hours, Los Angeles Fire Department (LAFD), Rescue Ambulance (RA) No. 10, Firefighter/Paramedics Ryan Ostergaard and Para Gonzalez



responded and rendered emergency medical aid. Firefighter/Paramedic Gonzalez pronounced Crawford's death at 1428 hours.

## **Evidence**

On April 14, 2019, at approximately 1840 hours, Forensic Science Division (FSD), Firearms Analysis Unit (FAU) Criminalist III Julie Wilkinson, Serial No. N4403, Criminalists II Jacob Seror, Serial No. N4571, and Meiling Robinson, Serial No. N4288, responded and conducted an examination of the OIS scene for ballistic impacts, trajectories and projectiles. As a result of their examination, the following evidence was booked at Forensic Science Center (FSC) in conjunction with this crime scene investigation (Addendum No. 5).

Included in the 98 items booked in conjunction with this investigation, 82 items that were recovered from the scene, included: Crawford's shotgun, a butt cuff shotshell carrier containing five live shot shells attached, the two live shot shells that had been removed from Crawford's shotgun; discharged 9mm and .45 caliber cartridge cases that were recovered from the street and east sidewalk and planter; fired bullet fragments that were recovered from the alcove and the street; a Samsung Galaxy cell phone, TAP card, recovered from Crawford; Crawford's backpack containing multiple tools, retractable knives and a screwdriver, key organizer and key fobs with miscellaneous keys, a Dodge Charger key fob, flashlight, clothing, a blonde wig, a USB thumb drive, syringes, toiletries, a tablet, eyeglasses, white crystalline substance, electronic cigarettes with residue, over the counter medication, and 12 additional live 12 gauge shot shells.

On April 16, 2019, Criminalist Seror test fired and booked into evidence items 88 thru 96, discharged cartridge cases and fired bullets from test fires of Officers Nielson's and Luna's pistol.

On April 30, 2019, Detective Kim received and booked items 25 thru 29, evidence collected during the post-mortem medical examination of Crawford from the Los Angeles County Department of Medical Examiner-Coroner's Office. Included in the evidence were projectile evidence, a bloodstain card, a hair kit, a fingernail kit and clothing.

On June 13, 2019, Criminalist Seror test fired and booked into evidence items 97 and 98, discharged shot shell cases from Crawford's shotgun.

A total of 98 items of evidence were booked (Addendum No. 6).

## **Coroner's Investigation**

**Coroner's Response:** On April 14, 2019, at approximately 1733 hours, the Los Angeles County Department of Medical Examiner-Coroner's Office was notified regarding Crawford's body.



At approximately 1950 hours, Coroner Investigators Jasmine Frazier, Serial No. 639658, and Kristy McCracken, Serial No. 491917, arrived at scene and conducted an investigation.

**Note:** The Coroner Investigator's Narrative report erroneously stated in their evidence section that officers collected a total of 13 discharged cartridge cases from the scene. The investigation determined that a total of 14 discharged cartridge cases were recovered at scene.

The report also erroneously indicated that the shot shells recovered from the barrel of the shotgun were empty.

At approximately 2245 hours, Crawford's remains were transported to the Los Angeles County Department of Medical Examiner-Coroner in preparation for his post-mortem examination.

**Autopsy:** On April 19, 2019, Los Angeles County Department of Coroner Deputy Medical Examiner Doctor Zuhha Ashraf performed a post-mortem examination of Crawford's remains. Force Investigation Division Detectives II Kim and Brad Michel, Serial No. 36782, were present during the examination, as was Los Angeles County District Attorney's Office Investigator Wendy Contreras.

Doctor Ashraf determined that Crawford sustained seven gunshot wounds. The wounds were arbitrarily numbered by Doctor Ashraf. There was no soot or stippling observed on any of the gunshot wounds. The gunshot wounds to the head and torso area resulted in severe injuries to the brain, aorta and lungs, and were deemed fatal. The gunshot wounds to the neck, right shoulder and right thigh resulted in bone fracture and tissue injuries. Abrasions of left shoulder and left forearm were also identified.

**Gunshot Wound No. 1** - The bullet entered the right side of the forehead, perforated the brain, fractured the skull, and embedded in the left skull in a front to back, right to left and downward trajectory. A projectile was recovered from the left side of his skull.

**Gunshot Wound No. 2** - The bullet entered the right side of the neck, fractured the cervical vertebrae, and embedded on the left side of the neck in a front to back, right to left, downward trajectory. A projectile was recovered from the left side of his neck.

**Gunshot Wound No. 3** - The bullet entered the right upper chest, perforated the right lung and heart, and embedded in his left flank. The projectile travelled in a front to back, right to left and downward trajectory. A projectile was recovered from Crawford's left side.

**Gunshot Wound No. 4** - The bullet entered the left upper chest, perforated the left lung and heart, severing the aorta, and embedded in the spine in a front to back, left to right and downward trajectory. A projectile was recovered from Crawford's lower back area.



**Gunshot Wound No. 5** - The bullet entered the right shoulder and embedded below the right shoulder in a front and back, right to left and downward trajectory. A projectile was recovered from Crawford's scapula area

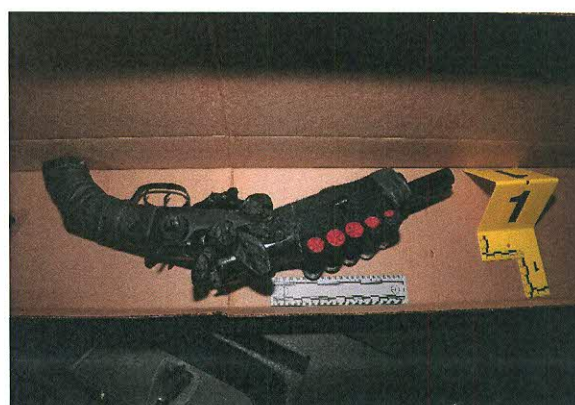
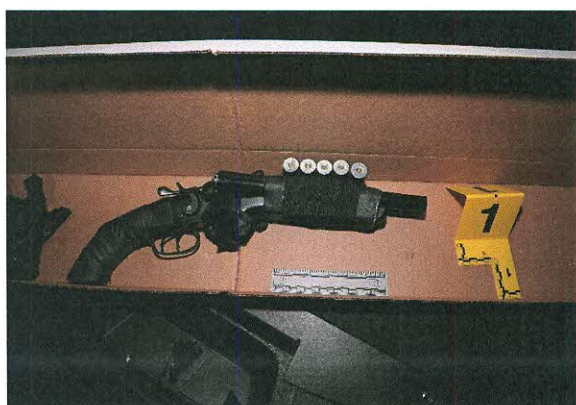
**Gunshot Wound No. 6** - The bullet entered the right flank, perforated the right lung, and embedded in the upper back, in a front to back, right to left and upward trajectory. A projectile was recovered from Crawford's upper back area.

**Gunshot Wound No. 7** - The bullet entered the inner right thigh, traveled through the femur and exited to outer right thigh, in a front to back, left to right and downward trajectory. There was no projectile recovered.

The locations of the gunshot wounds were consistent with Officers Luna and Nielson's stated shooting positions. There was no indication in the autopsy report as to the positioning of Crawford's arms at the time of the OIS.

**Toxicology:** Doctor Ashraf obtained blood specimens from Crawford for toxicological analysis. On May 24, 2019, a Laboratory Analysis Summary Report was finalized by Los Angeles County Department of Coroner Supervising Criminalist I Sarah Buxton de Quinatana. The analysis results determined that the screen of Crawford's chest and femoral blood detected the presence of methamphetamine and marijuana (Addendum No. 7).

## Weapons



Crawford was armed with a short barrel, break-open, 12-gauge, J. Stevens Arms and Tool Co., model 234 shotgun, Serial No. 65869. The overall length of the shotgun was measured at 19.63 inches long. The muzzle of the shotgun had irregular cutting marks and the front sights were missing. The stock of the shotgun was missing and both hammers were un-cocked. A butt cuff shotshell carrier, containing five additional 12-gauge shotshells, was wrapped in black tape atop the forearm and receiver section of the shotgun. The shotgun was opened by Officer Heistermann, post-OIS, which revealed two live 12 gauge shot shells. The examination of the shot shells did not reveal any firing pin strikes (Addendum No. 8).



There was no record on file of a registered owner of the firearm.

On June 13, 2019, Technical Investigation Division (TID) Latent Print Unit Analyst Arthur Gerio, Serial No. V8109, attempted to process the shotgun, the two live shot shells that were removed from the shotgun, and the five live shot shells in the butt cuff for fingerprints; however, there were no viable prints detected. On July 2, 2019, the black tape around the shotgun were examined and processed, and as a result, no latent prints were developed (Addendum No. 9).

On June 14, 2019, Criminalist Seror test fired the shotgun with laboratory ammunition and it was determined to be functional. Fired shot shells were entered into the National Integrated Ballistic Information Network (NIBIN) database by FAU staff (Addendum No. 10).

On April 25, 2019, Criminalist Seror swabbed the shotgun and shot shells, and booked the swabs for the purpose of obtaining a DNA analysis of the shotgun. FID investigators requested a DNA profile comparison to Crawford's DNA profile.

On September 18, 2019, Forensic Science Division (FSD), Serology/DNA Criminalist Susan Rinehart, Serial No. G9670, completed a report documenting results from DNA swabs taken from the shotgun and shells. According to Criminalist Rinehart, the DNA analysis determined that the DNA profile from both the shotgun and the shot shells were consistent with the DNA profile obtained from William Crawford (Addendum No. 11). Officer Luna was armed with his Department-authorized Kimber .45 caliber, Model LAPD Metro Custom RL semiautomatic pistol. The capacity of the weapon, when fully loaded, is eight rounds in the magazine and one round in the chamber for a total of nine rounds. According to Officer Luna, the pistol was loaded to capacity with nine rounds of Department-approved ammunition at the time of the OIS.

On April 14, 2019, at approximately 2105 hours, FID Detective Alberto Rosa, Serial No. 26598, conducted a post-incident examination of Officer Luna's pistol. He determined that the firearm was loaded with one round in the chamber and eight rounds in the magazine, for a total of nine rounds, of ACP Federal Premium, .45 Auto, Bonded 230 grain ammunition. According to Officer Luna, he conducted a tactical reload, after the OIS, and placed the used magazine into his left rear pants pocket. Detective Rosa determined that the magazine from Officer Luna's rear pants pocket contained one round of ACP Federal Premium, .45 Auto, Bonded 230 grain ammunition. The third magazine was loaded to capacity, eight rounds, with the same Department-approved ammunition. This information was consistent with the physical evidence indicating that Officer Luna discharged a total of seven rounds.

Officer Luna's pistol was entered into the Firearm Inventory Tracking System (FITS) on April 8, 2016.



On June 5, 2019, FSD FAU Criminalist II Annette Woiwode, Serial No. N4427, completed a report documenting the test firing of Officer Luna's service pistol. The trigger pull value was within the Department's established range (Addendum No. 12).

Officer Nielson was armed with his Department-authorized STI Tactical 9mm, Model 2011 semiautomatic pistol. The pistol had an attached Surefire X300 tactical light. The capacity of the weapon, when fully loaded, is 17 rounds in the magazine and one round in the chamber for a total of 18 rounds. According to Officer Nielson, at the time of the OIS, his pistol was loaded to capacity.

On April 14, 2019 at approximately 2205 hours, Detective Rosa conducted a post-incident examination of Officer Nielson's pistol. He determined that the firearm was loaded with one round in the chamber and 10 rounds in the magazine, for a total of 11 rounds, of Winchester Ranger, 9mm, 147 grain, Speer G2 ammunition. Officer Nielson possessed two additional magazines on his Sam Browne, which were each loaded to capacity, with 20 rounds of the same Department-approved ammunition. This information was consistent with the physical evidence indicating that he had fired a total of seven rounds.

**Note:** The Department has authorized both the 17 round and 20 round factory magazines for the STI. As noted above, Officer Nielson was carrying one 17 round magazine and two 20 round magazines.

Officer Nielson's pistol was entered into the Firearm Inventory Tracking System (FITS) on February 4, 2019.

On June 5, 2019, FSD FAU Criminalist Seror completed a report documenting the test firing of Officer Nielson's service pistol. The trigger pull value was within the Department's established range (Addendum No. 13).

### **Firearms Analysis**

On April 14, 2019, Criminalist Seror conducted an examination of the OIS scene for ballistic impacts, trajectories and projectiles. The examination determined the following:

**Pathway A** indicated that a bullet related perforating impact (Impacts A, A1, A2, A3), was consistent with a bullet traveling from north to south, west to east and in an upward direction through the window. The penetrating impact lodged into the door in the alcove. This was consistent with Officer Nielson's position of fire.

**Pathway B** indicated that a bullet related perforating impact (Impacts B, B1), was consistent with a bullet traveling from north to south, west to east and in an upward direction through the windows to the north of the alcove. This was consistent with Officer Nielson's position of fire.



**Pathway C** indicated that a bullet related perforating impact (Impacts C, C1, C2) was consistent with a bullet traveling from north to south, west to east and in a downward direction through the northernmost window, before impacting the trim of the door of the alcove. This was consistent with Officer Nielson's position of fire.

**Pathway D** indicated that a bullet related perforating impact (Impacts D, D1) was consistent with a bullet traveling from north to south, west to east and in a downward direction through the southernmost window. This was consistent with Officer Nielson's position of fire.

**Pathway E** is consistent with a bullet related penetrating impact traveling from south to north and west to east, before impacting the trim of the window. This was consistent with Officer Luna's position of fire.

**Pathway F** is consistent with a bullet related penetrating impact traveling south to north, west to east and in a downward direction before impacting the door trim of the alcove. This was consistent with Officer Luna's position of fire.

**Pathway G** is consistent with a bullet related penetrating impact traveling from west to east and in a downward direction, before impacting on the door of the alcove

**Pathway H** is consistent with a bullet related non-penetrating impact traveling from north to south, west to east, before impacting on the door trim of the door of the alcove.

No further directions or angles could be determined with Pathways F to H due to the condition of the impacts. This was consistent with the officers' recollection, surveillance view of the officers and Crawford's location at the time of the OIS (Addendum No. 14). On June 27, 2019, FSD FAU Criminalist I Daniel Rubin, Serial No. G9077, completed a Type and Caliber Examination report of fired bullet fragments collected at scene and from Crawford.

The examination of bullet fragments from the scene, Item Nos. 16-20, determined that the bullet fragment recovered from the alcove, Item No. 20, was fired from Officer Luna's pistol. Criminalist Rubin determined that the bullet fragment recovered from the street, Item No. 16, along with bullet fragments recovered from the alcove, Item Nos. 18 and 19, were fired from Officer Nielson's pistol. Item No. 17, recovered from inside the window display area, lacked enough characteristics for type and caliber inspection.

Criminalist Rubin examined the fired bullets collected during Crawford's post-mortem examination. Criminalist Rubin determined that the bullets collected from Gunshot Wound Nos. 1 (head), 4 (left upper chest), 5 (right shoulder) and 6 (right flank) exhibited characteristics consistent with bullets test fired from Officer Luna's pistol. Gunshot Wound Nos. 2 (neck) and 3 (right upper chest) were consistent with bullets test fired from Officer Nielson's pistol. This was consistent with the officers' recollection and Crawford's location at the time of the OIS (Addendum No. 15).



## **Visual Documentation**

**Digital In-Car Video System (DICVS):** Officers Luna and Nielson were not assigned a police vehicle by TSD at the time of the incident. The officers drove to their post in Officer Nielson's assigned Metropolitan Division dual purpose Crown Victoria police vehicle, which was not equipped with DICVS.

Force Investigation Division detectives reviewed all of the DICVS of the responding units from Central Division and no concerns were identified.

**Body Worn Video (BWV):** Officers Luna and Nielson were not equipped with BWV at the time of the incident.

Additional BWV views of responding Central and Metropolitan Division units depicted post OIS activities. Central Patrol Division uniformed police officers activated their BWV while en route to the incident, after the OIS. Of the videos reviewed by FID investigators, the following is a brief synopsis of those BWVs that had significant evidentiary value:

The BWV of Central Patrol Division Officers Liu, Ibanez and Cowan and Sergeant Medina captured the handcuffing and search of Crawford.

The BWV of Central Patrol Division Officers Heistermann and Leopoldo captured the condition of Crawford's shotgun post incident.

The BWV of Central Patrol Division Lieutenant Gillani and Sergeants Rutkowski, Ruiz and Abdalian captured portions of the monitoring of Officers Nielson and Luna and command and control of the scene (Issues and Concerns No. 7).

**Social Media:** Personnel assigned to FID's Cyber Unit monitored social media sites from the date of the incident until the submission of this investigation. On April 18, 2019, Witness Sade Williams was identified and interviewed due to a YouTube video she posted speaking about the incident. No additional evidence, information or witnesses were identified via social media.

**Other Department Video:** There are no other Department videos of this incident.

**Outside Video:** Force Investigation Division investigators identified and obtained two MTA security videos from the mezzanine level of the 7<sup>th</sup> and Metro platform areas.

Security video was obtained from MTA covering a view of the TAP turnstiles and kiosks at the 7<sup>th</sup>-Flower and 7<sup>th</sup> - Hope entry/exit ways. The video captured Crawford as he approached the turnstiles and turned toward the kiosks. The also captured Officers Luna and Nielson taking the escalator in and out of the mezzanine level, and captured Crawford exiting the mezzanine level toward "The BLOC" shopping area. The video



disc is stored under Digital Control (A) No. 729447 and is contained in the FID case file and available for review.

Security video was obtained from the "The BLOC" covering the courtyard level (above ground from the mezzanine level) and multiple views of the ground level and the street level. The video captured Crawford and Officers Nielson and Luna as they got off the escalators above ground, walked around the Starbucks store and walked north up multiple flights of stairs to the south sidewalk of 7<sup>th</sup> Street. The video disc is stored under Digital Control (A) No. 729448 and is contained in the FID case file and available for review.

Security video was obtained from the Sheraton Hotel, which covered the west sidewalk area of Hope Street, south of the hotel, along with security video covering the valet area and entrance doors. This video captured the foot pursuit; however, concrete pillars covered the valet area, blocking the alcove and the street portion of the OIS. The video captured Crawford and the officers as they ran toward the alcove, and only captured Officer Nielson's position at the time of the OIS. The video disc is stored under Digital Control (A) Nos. 729449 and is contained in the FID case file and available for review (Investigators' Note No. 3).

Security video from the Rite-Aid store was not operational during the date of the incident.

**Photographs:** Photographs of the OIS scene and associated evidence are stored under Digital Control (D) Nos. 0787949, 0787950 and 0769154.

### **Notifications**

At approximately 1430 hours, Department Operations Center (DOC) was notified of the Categorical Use of Force (Addendum No. 16).

### **Personnel at Scene**

Force Investigation Division Detective III Robert Solorza, Serial No. 27733, arrived at scene at approximately 1550 hours. Crime scene logs documenting additional personnel at the location are contained within the FID case file and are available for review.

### **Communications**

The computer-generated incident recall printouts associated with this occurrence (Incident Nos. 190414002881, 190414002892, 1904014002920 and 190414002912), are on file at FID (Addendum No. 17).

Copies of CD master tapes for Transit Services Division Frequency, Central Division Base Frequency, and related emergency telephone calls (911) are on file at FID.

The digitally recorded interviews of the involved and percipient officers and civilian witnesses are stored in the Training Evaluation and Management System (TEAMS II) database.

### **Justice System Integrity Division Review**

This case met the criteria for presentation to the Justice System Integrity Division (JSID) and will be presented by FID detectives upon completion of their investigation.

### **Investigators' Notes**

1. The investigation revealed that Lieutenant Gillani was the first supervisor to declare himself as the Incident Commander (IC). According to Sergeant Rutkowski, he did not declare himself as the IC because he treated the incident as a fluid situation that needed to be addressed. According to Sergeant Medina, he did not declare himself as the IC because he already saw Sergeant Rutkowski there, and he saw a tactical situation that needed to be addressed. However, according to Sergeant Medina, he believed he was the IC for the tactical portion of the incident. According to Sergeant Abdalian, he did not declare himself the IC because he was the third supervisor at scene. Similarly, Sergeant Ruiz did not declare himself as the IC because he was the fourth supervisor at scene.
2. There were multiple 911 calls in the area that reported a shooting at the approximate time and area of the OIS. In incident No. 190414002892 callers were employees of Macy's, located at "The BLOC" on West 7<sup>th</sup> Street, west of Hope Street. The employees reported second hand information from citizens running into the store for safety. On April 18, 2019, Detective Kim located employees George Garcia, Leah Harris, Andrea Sanchez and Cynthia Granados, who verified that they did not witness any portion of the incident; therefore, they were not interviewed.

The 911 caller for Incident No. 190414002920 was a female identified as "Joanna" who stated that there was shooting inside of the Rite Aid involving a police officer. "Joanna" indicated she was with another person and was approximately one block away and heard two shots. Detective Kim attempted to contact her and left voicemail messages for "Joanna". The 911 caller for Incident No. 190414002912 was an unidentified female who reported a shooting across from the mall in the area of 7<sup>th</sup> Street and Flower. When CD requested a name, the caller refused. At the time of this report the unidentified female caller and "Joanna" had not responded.

3. The Sheraton video camera was originally pointed in a south direction, on Hope Street, and did not capture the OIS. However, after the OIS occurred, the camera was remotely moved by unknown Sheraton personnel to point toward the east sidewalk of Hope Street and captured post incident procedures.



## Issues and Concerns

During the investigation, the following issues and concerns were identified and brought to the attention of Transit Service Bureau Deputy Chief Blake Chow, Serial No. 27572, and Commander Michael Oreb, Serial No. 25109, on April 8, 2019.

1. Officers Luna and Nielson did not update their original Code-Six location until they broadcast their help call.
2. After the tactical reload of his pistol post OIS, Officer Luna made the notification call to Sergeant Yzaguirre prior to additional units arriving at scene.
3. Officer Carrillo could be heard on BWV using profanity while ordering Crawford not to move. Based on BWV, it did not appear any civilians were in a position to hear this.
4. Officer Alvarado relinquished the shotgun to Officer Heistermann in order to render the shotgun safe, and ultimately Officer Heistermann downloaded Crawford's shotgun. After Officer Alvarado regained possession of the shotgun, he placed the shotgun and the two live shot shells in the trunk of Sergeant Lopez' vehicle. However, Officer Alvarado encased the shot shells inside a latex glove.

Additionally, after the scene was cordoned off and a canopy was placed over Crawford, Officer Alvarado opened and searched inside of Crawford's backpack until Lieutenant Gillani directed him to stop. According to Officer Alvarado, his purpose in searching the backpack was to look for additional weapons.

5. After Officer Heistermann downloaded the shotgun, Officer Alvarado was captured on Officer Heistermann's BWV stating "...Well, it was loaded... You just removed those rounds, Shit." Based on BWV, it did not appear any civilians were in a position to hear it, and Officer Heistermann did not appear to direct the statement towards anyone.
6. The following discrepancies were noted during a review of supervisor's logs for the separation and monitoring of Officers Luna and Nielson; TSB Deputy Chief Chow was notified for the below issues by Force Investigation Group (FIG) Commander Robert Marino:
  - Sergeant Eldridge's Watch Commander's Log stated that Luna was monitored in the Training office and Nielson was monitored in the Captain's office; however, the opposite was true.
  - Sergeant Eldridge's Watch Commander's Log indicated Lieutenant Perez took over monitoring Officer Nielson at 1845 hours. Sergeant Eldridge's log also indicated Detective Garret took over monitoring Officer Nielson at 1900 hours; however, Detective Garret's log indicated he took over monitoring at 1920 hours. Investigators were not able to locate any other logs accounting for the 20 minute discrepancy.

- Sergeant White's log was inaccurately dated as April 12, 2019.
7. The investigation revealed the following issues regarding BWV activations; Office of Operations Director Chief Robert Arcos was notified by FIG Commander Marino:
- Officer Heistermann did not activate his BWV until after he removed the shot shells from the shotgun. According to Officer Heistermann, prior to responding to the incident, he had turned off his BWV when he was using the restroom at Central station. As he arrived at scene, he turned on his camera, then immediately double-tapped his BWV camera. According to Officer Heistermann, he potentially attempted to activate the camera too quickly without waiting for the power-on buffering to complete, while it was turning back on. Officer Heistermann believed that his BWV was on until Officer Alvarado directed him to turn his camera on.
  - Officer Ibanez's BWV captured approximately 13 seconds of buffering prior to activation.
  - Officer Liu's BWV captured approximately 12 seconds of buffering prior to activation.
  - Officer Lopez's BWV did not capture his Code 3 response. Additionally, Officer Lopez activated his BWV approximately one minute after his arrival.

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## CHIEF OF POLICE REPORT<sup>46</sup>

### Chief of Police Findings

**Tactics** – Administrative Disapproval, Officers Luna and Nielson.

**Drawing/Exhibiting** – In Policy, No Further Action, Officers Luna and Nielson.

**Lethal Use of Force** – In Policy, No Further Action, Officers Luna and Nielson.

### Chief of Police Analysis

#### **Detention**

- Officers Luna and Nielson were working a TSD overtime detail. Officer Luna telephonically received information that Crawford, a known armed felony suspect, was possibly in the area. Officer Luna had previous knowledge of Crawford from his primary duty assignment in the Metropolitan Division Crime Impact Team. Officer Luna shared this information with Officer Nielson, and the two continued their foot beat assignment. A male matching the description of Crawford was observed by the officers. The officers followed the male and attempted to positively identify him. When the male turned, Officer Luna recognized him as being Crawford and a foot pursuit ensued. Crawford produced a sawed-off shotgun from his backpack and pointed the barrel at Officer Luna, resulting in an OIS. The officers' actions were appropriate and within Department policies and procedures.

#### **Tactics**

- Department policy relative to Tactical Debriefs is: *"The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance"* (Los Angeles Police Department Manual, Volume 3, Section 792.05).

Department policy relative to Administrative Disapproval is: *"A finding, supported by a preponderance of the evidence that the tactics employed during a CUOF incident unjustifiably and substantially deviated from approved Department tactical training"* (Los Angeles Police Department Manual, Volume 3, Section 792.05).

The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

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<sup>46</sup> The information provided in this section summarizes the analysis and findings set forth in the Chief of Police's report for this case.

## Tactical De-Escalation

- *Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation.*

### *Tactical De-Escalation Techniques*

- *Planning*
- *Assessment*
- *Time*
- *Redeployment and/or Containment*
- *Other Resources*
- *Lines of Communication (Use of Force - Tactics Directive No. 16, October 2016, Tactical De-Escalation Techniques)*

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

**Planning** – Officer Luna had pre-existing knowledge of Crawford's crimes and the investigation which originated in the North Hollywood Area. Officer Luna stated that he planned to request a backup upon locating Crawford. Officer Nielson believed that they were in surveillance mode only and believed that Officer Luna would coordinate with CIT resources to take Crawford into custody. Officer Nielson did not have any further delineation of how this would actually occur and what his role would have been.

The UOFRB was critical of the officers' lack of planning, and the Chief concurred with the UOFRB with his own assessment. The Chief would have preferred that Officers Luna and Nielson had developed a plan specifically for when they encountered Crawford and had assigned specific contact and cover roles. Although they were both assigned to Metropolitan Division and were familiar with each other, they would have benefitted from a more developed plan. The plan should have also considered the involvement of additional resources, such as additional officers or an airship.

**Assessment** – Both officers utilized fire control, assessing between each round and volleys of fire, during a rapidly escalating tactical situation, to protect themselves from an active deadly threat. The actions of Crawford were also continually assessed by the additional responding officers who took him into custody without incident.

**Time** – Upon initial observation of Crawford and throughout the foot pursuit, the officers maintained an approximate 20 to 30-yard distance from Crawford. This afforded the officers the time to assess the situation and respond accordingly. Once



Crawford ran into the alcove and presented the shotgun at the officers, the officers were not afforded any additional time and the OIS ensued. Once Crawford was contained in the alcove, the additional responding officers and supervisors utilized time to formulate a plan to take Crawford into custody without incident.

**Redeployment and/or Containment** – Upon observation of Crawford's shotgun, Officer Luna redeployed to nearby cover during Officer Luna's first volley of rounds. When Crawford backed further into the alcove, Officer Nielson moved away from cover to maintain visual contact with Crawford and continue to protect Officer Luna from the ongoing deadly threat. After the end of the OIS, Officers Nielson and Luna were redeployed away from the immediate vicinity by the responding supervisor who had identified them as being substantially involved in the incident. The additional responding officers continued to contain Crawford until an arrest team was formed.

**Other Resources** – Post OIS, Officer Luna utilized his handheld radio to broadcast an "Officer Needs Help" call. Additional Department personnel responded, along with a LAFD RA. Responding officers deployed additional equipment, including a ballistic shield, to safely resolve the incident.

**Lines of Communication** – During the foot pursuit, Officer Luna attempted to detain Crawford by calling out to him, stating that the officers just wanted to speak to him. When Crawford began to remove the shotgun from his backpack both officers communicated with each other stating "gun." Officer Luna gave Crawford clear and direct orders to drop the gun in an attempt to deescalate the situation.

The UOFRB noted while the officers communicated with each other and the responding Department personnel following the critical incident, the officers' lack of communication prior to contacting Crawford put them at a significant tactical disadvantage. This incident occurred in a busy area of the City of Los Angeles. Numerous citizens, acknowledged by Officer Nielson during his FID interview, were in the vicinity of the incident. The history of criminal activity conducted by Crawford presented a significant concern for the safety of the community, as well as the officers. Both Officers Luna and Nielson did not communicate and develop an adequate plan.

### **Debriefing Points**

- During the review of the incident, the following Tactical Debriefing Points were noted:
- **Tactical Planning/Communication** (Substantial Deviation – Officers Luna and Nielson)

*Officers must approach every contact, whether a consensual encounter or a lawful detention, with officer safety in mind. Complacency, overconfidence, poor planning,*



*or inappropriate positioning can leave officers vulnerable to attack (California Commission on Peace Officer Standards and Training, Learning Domain 21).*

*In order to ensure officer safety and help ensure an appropriate outcome, the primary officers and cover officers must effectively communicate with one another. Appropriate communication involves:*

- advising the primary officer of any critical occurrences or safety issues (e.g., movement within the target vehicle, someone approaching outside the primary officer's field of vision, possible crossfire situations, etc.),*
- avoid inappropriate interruptions, and*
- avoid giving directions which conflict with those given by the primary officer.*

*Only one person, usually the primary officer, gives the commands, unless a specific situation calls for another officer to issue a command (California Commission on Peace Officers Standards and Training, Learning Domain No. 22).*

Officers Luna and Nielson failed to develop and communicate a tactical plan for encountering the armed felony suspect who they were advised was in the area.

Operational success is based on the ability of officers to effectively communicate during critical incidents. Officers, when faced with a tactical incident, improve their overall safety by their recognition of an unsafe situation and by working together collectively to ensure a successful resolution. A sound tactical plan should be implemented to ensure minimal exposure to the officers, while keeping in mind officer safety concerns.

In this case, Officers Nielson and Luna did not completely develop or communicate a tactical plan, either with each other or with the inclusion of other officers. The UOFRB opined there was sufficient time prior to locating Crawford to formulate a plan and that this lack of communication and planning put the officers at a distinct tactical disadvantage. The UOFRB noted that both Officer Luna and Nielson are experienced officers assigned to Metropolitan Division with experience in conducting investigations. Officer Luna was well aware of the danger to public safety that Crawford posed, having been involved in the attempts to apprehend Crawford by the Metropolitan CIT. Officer Nielson believed that upon locating Crawford, Officer Luna would coordinate with CIT personnel to take Crawford into custody. Officer Nielson did not indicate he was aware of what that plan would be, nor what his role would have been. According to Officer Luna, he advised Officer Nielson that upon locating Crawford, the officers would request a backup to take Crawford into custody. The UOFRB noted that both Officers Luna and Nielson did not have a clear plan developed, nor an understanding of their roles in the event they located Crawford. Additionally, the officers did not discuss contact and cover roles.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred that Officers Luna and Nielson's lack of planning and communication was



a substantial deviation, without justification, from approved Department tactical training. The Chief directed that this be a topic of discussion during the Tactical Debrief.

- **Code Six/Foot Pursuit Broadcast** (Substantial Deviation – Officers Luna and Nielson)

*When a unit is conducting a field investigation and no assistance is anticipated, a "Code Six," followed by the location, shall be broadcast. A unit shall not go "Code Six" until it arrives at the scene of a call.*

*Units on "Code Six" status shall remain available for reassignment to priority calls by monitoring their radio frequencies. A unit on "Code Six" status may indicate to the dispatcher additional circumstances which will make the unit unavailable for assignment to a priority call. These circumstances may include:*

- *Suspect in custody;*
- *Primary unit at a crime scene; and/or,*
- *Required at a backup, assistance, or help location.*

*Note: The unit shall notify the dispatcher as soon as it is again available for radio calls (Los Angeles Police Department Manual, Volume 4, Section 120.40).*

*Effective communication is essential during foot pursuits. Due to the rapidly unfolding situation, officers may not be able to include complete information in the initial broadcast. Additional information may be provided when tactically sound to do so.*

*Primary Officer: The officer whose primary responsibility is to focus on the threat posed and direction of travel of the suspect. The primary officer is usually the officer in front and closest to the suspect and in a position of advantage to assess any threat posed, give commands and direct the tactics of the pursuit. The role of the officer may change during the course of the foot pursuit, and the primary officer may become the secondary officer.*

*Secondary Officer: While the primary officer focuses on the suspect, the secondary officer focuses on the safety of the primary officer and responding personnel. The secondary officer broadcasts the location and direction of the pursuit; requests additional resources and coordinates their response and direction of travel. The role of the officer can change during the course of the foot pursuit and the secondary officer can quickly become the primary officer (Los Angeles Police Department Use of Force – Tactics Directive No. 3.2, Foot Pursuit Concepts, October 2013).*

Both Officers Luna and Nielson did not advise Communications Division (CD) of their location when they observed and subsequently followed Crawford onto the platform. Additionally, Officer Nielson did not broadcast that they were in foot pursuit



of Crawford, nor did he provide critical information about the direction of the foot pursuit and the crime Crawford was wanted for.

The purpose of broadcasting a Code Six location is to advise CD and officers in the area of their location and the nature of the field investigation, should the incident escalate and necessitate the response of additional personnel. Vehicle and pedestrian stops can be dangerous, as the identity and actions of a person stopped is often unknown, and as in this case, their actions can be unpredictable.

As a general concept, the Chief expects the primary officer in a foot pursuit to focus on the suspect, rather than coordinating resources, and the secondary officer in a foot pursuit to assume the responsibility for such broadcasts. The concept of effective communication via a radio broadcast cannot be compromised.

In this case, the officers were Code Six at a fixed post for their assignment at TSD. However, their Code Six location changed when the officers began following Crawford and they made an attempt to identify and detain him. Neither Officer Luna, nor Officer Nielson updated CD of their Code Six location or create a new Code Six incident. The UOFRB opined that the officers had sufficient time to broadcast their Code Six location, as well as any other relevant information, prior to making contact with Crawford and initiating their investigation. Additionally, the officers left the area of their original Code Six location, went into foot pursuit of Crawford, and no broadcast of their foot pursuit was made. An accurate Code Six location and the broadcast of a foot pursuit are both important aspects of maintaining officer safety.

According to Officer Nielson, because he was the secondary officer, it was his responsibility to broadcast the foot pursuit. During the foot pursuit, Officer Nielson ran with his side-handle baton in his support hand. Officer Nielson believed that he was unable to reach his handheld radio, which was also on his support side, to broadcast. Officer Nielson did not transition the side-handle baton to his primary hand to enable him to use his handheld radio to broadcast. While holding the side-handle baton in the support side hand is not prohibited by Department policy, in this case, Officer Nielson's decision to maintain the side-handle baton in his support hand limited his tactical options, specifically his ability to broadcast important information on his handheld radio.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that Officers Luna and Nielson's failure to broadcast an update to the Code Six location and nature of investigation, or to broadcast a new Code Six location when they decided to follow and attempt to stop Crawford, was a substantial deviation, without justification, from approved Department tactical training. The Chief directed that this be a topic of discussion during the Tactical Debrief.

In addition, Officer Nielson's failure to advise CD when they went in foot pursuit of Crawford, was a substantial deviation, without justification, from approved



Department tactical training. The Chief directed that this be a topic of discussion during the Tactical Debrief.

- **Utilization of Cover** (Substantial Deviation – Officer Luna)

*“Cover” is a term often associated with combat tactics. Under such conditions, cover refers to anything that may stop or deflect an opponent’s weapon (e.g., brick walls, buildings, portion of the vehicle with the engine block, etc.) (California Commission on Peace Officers Standards and Training, Learning Domain 21).*

*There is an equation that saves lives: Distance + Cover = Time. Time gives officers options. Time is an essential element of de-escalation as it allows officers the opportunity to communicate with the suspect, refine tactical plans, and, if necessary, call for additional resources. Entering the suspect’s space prematurely may force the suspect to take action, ultimately escalating the situation. Whenever possible, officers should place an object between themselves and the suspect as cover or a barrier. A barrier could be a chain link fence, wrought iron gate, or any similar object that prevents the assailant from reaching the officer (Los Angeles Police Department Training Bulletin, Weapons Other Than Firearms, Volume XLVI, Issue 3, October 2017).*

Officers Nielson and Luna left their positions of cover while encountering an armed suspect.

The utilization of cover, coupled with distance, enables an officer to confront an armed suspect while simultaneously minimizing their exposure. As a result, the overall effectiveness of a tactical incident can be enhanced while also increasing an officer’s tactical options.

In this case, Officer Luna left his position of cover after the OIS and moved to Officer Nielson’s exposed position. The UOFRB noted that while at this position, Officer Luna conducted a tactical reload of his pistol, which required him to depend on Officer Nielson to provide lethal force cover as Officer Luna did not utilize any barricade cover. Upon completion of the tactical reload, Officer Luna remained exposed, without the benefit of any cover, and completed a cellphone call to Sergeant Yzaguirre informing him that Officer Luna had been involved in an OIS with Crawford.

Officer Nielson placed himself behind a planter that provided him with limited cover in his first volley of rounds during the OIS. However, Officer Nielson left his position of cover in order to maintain visual contact of Crawford and was subsequently exposed during his second volley of rounds. The UOFRB conducted a detailed discussion and analysis of Officer Nielson’s actions in regards to his use of cover and his leaving of said cover. While not an ideal tactic, the decision by Officer Nielson to leave cover was based on the tactical situation. The UOFRB considered Officer Nielson’s actions to contain Crawford. The UOFRB also considered the



officers' need to continually assess Crawford's actions. Crawford was not contained inside of a structure, but rather was contained in an exposed alcove. Officer Nielson's position allowed him to maintain observation, and thus contain Crawford.

Based on the totality of the circumstances, the UOFRB has determined and the Chief concurred that Officers Luna's decision to leave his position of cover, was a substantial deviation, without justification, from approved Department tactical training. The Chief directed that this be a topic of discussion during the Tactical Debrief.

In the case of Officer Nielson, based on the totality of the circumstances, the Chief determined that Officer Nielson's decision to leave his position of cover, was a substantial deviation, with justification, from approved Department tactical training. The Chief directed that this be a topic of discussion during the Tactical Debrief.

### **Additional Tactical Debrief Topics**

- **Notification Protocol** – The investigation revealed that Sergeant Yzaguirre notified some of the personnel assigned to CIT, along with Officer Luna, of Crawford's potential location. While Sergeant Yzaguirre was concerned for the safety of CIT personnel in the area, he should have also additionally notified the Central Area and TSD commands. Officer Luna, who was also aware of the information related to Crawford's possible location, only informed his assigned partner, Officer Nielson. Officer Luna should have also notified personnel in the area of this information, including the Central Area and TSD commands. Both Sergeant Yzaguirre and Officer Luna are reminded of the importance of the dissemination of information as it relates to officer safety. The Chief directed that this be a topic of discussion during the Tactical Debrief.
- **Maintaining Control of Equipment** – The investigation revealed that Officer Nielson threw his side-handle baton into a planter as he drew his service pistol. Although this incident rapidly escalated, in the effort to enhance future performance, Officer Nielson is reminded, whenever tactically feasible, of the importance of maintaining control of his equipment. The Chief directed that this be a topic of discussion during the Tactical Debrief.
- **Situational Awareness** – The investigation revealed that subsequent to the OIS, Officer Luna utilized his personal cellphone to contact his regularly assigned Metropolitan Division CIT supervisor prior to the response of additional resources. The Chief would have preferred that Officer Luna coordinate and communicate with the first responding supervisor and wait until Crawford was taken into custody. Officer Luna is reminded that the proper notification procedure following a CUOF incident is to an on-duty supervisor, not to an off-duty supervisor who is not involved in the incident. The Chief directed that this be a topic of discussion during the Tactical Debrief.



## Command and Control

- *Command and Control is the use of active leadership to direct others while using available resources to coordinate a response, accomplish tasks and minimize risk. Command uses active leadership to establish order, provide stability and structure, set objectives and create conditions under which the function of control can be achieved with minimal risk. Control implements the plan of action while continuously assessing the situation, making necessary adjustments, managing resources, managing the scope of the incident (containment), and evaluating whether existing Department protocols apply to the incident.*

*Command and Control is a process where designated personnel use active leadership to command others while using available resources to accomplish tasks and minimize risk. Active leadership provides clear, concise, and unambiguous communication to develop and implement a plan, direct personnel and manage resources. The senior officer or any person on scene who has gained sufficient situational awareness shall initiate Command and Control and develop a plan of action. Command and Control will provide direction, help manage resources, and make it possible to achieve the desired outcome. Early considerations of PATROL will assist with the Command and Control process (Los Angeles Police Department, Training Bulletin, Volume XLVII Issue 4, July 2018).*

In reviewing this incident, the UOFRB acknowledged the responding officers' and supervisors' overall effectiveness in response to the OIS and the development of a tactical plan to take Crawford into custody without further incident and the proper implementation of post categorical incident protocols.

Officer Carrillo was the first responding officer to arrive at the scene in response to the help call. Officer Carrillo took an active leadership role and demonstrated a calm and composed demeanor upon arrival to the post-OIS scene. Officer Carrillo maintained clear lines of communication with responding officers and supervisors and directed them to cover. Officer Carrillo appointed himself as the Designated Cover Officer (DCO) and formulated a coordinated and controlled approach with Sergeant Medina to take Crawford into custody. Additionally, Officer Carrillo ensured ingress and egress routes were established for the responding RA in consideration and reverence for the suspect's life. In the Chief's overall assessment, Officer Carrillo demonstrated active leadership and met his expectations of a senior officer at the scene of a critical incident.

Sergeant Rutkowski responded to the scene and identified Officers Luna and Nielson as being involved in the OIS and removed them from the arrest team.

Sergeant Medina responded to the scene, provided tactical oversight, and directed the arrest team in taking Crawford into custody. While Sergeant Medina's attention was focused on directing the arrest team, officers at the location secured and downloaded Crawford's shotgun, thereby manipulating evidence. While the Chief



would have preferred that Sergeant Medina had provided direction in the preservation of evidence, Sergeant Medina did not observe the officers' actions and did not intervene.

Sergeant Ruiz responded and separated and monitored Officers Luna and Nielson. Sergeant Ruiz obtained a Public Safety Statement (PSS) from Officer Nielson.

Sergeant White responded and obtained a PSS from Officer Luna.

The responding supervisors completed necessary tasks and provided supervision and control of the on-going tactical incident. While the incident was being managed by the supervisors, the Chief would have preferred that one of the first responding supervisors declare themselves the Incident Commander (IC). The actions of Sergeants Rutkowski, Medina, Ruiz, and White were consistent with Department supervisory training and met the Chief's expectations of field supervisors during a critical incident.

### **Tactical Debrief**

- In conducting an objective assessment of this case, the UOFRB determined, and the Chief concurred, that Officers Luna and Nielson actions were a substantial deviation, without justification, from Department policy and tactical training, thus requiring a finding of Administrative Disapproval.

**Note:** Both Officers Luna and Nielson have recommending Findings of Administrative Disapproval for Tactics. Both Officers Luna and Nielson have been determined to have substantially deviated, without justification, in the debriefing points of Tactical Planning/Communication and Code Six/Foot Pursuit Broadcast. Officer Luna has been determined to have substantially deviated, without justification, in the Utilization of Cover.

Each tactical incident also merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made. A Tactical Debrief is the appropriate forum for the involved personnel to discuss individual actions that took place during this incident.

Although, it was determined that Sergeant Yzaguirre was not substantially involved in this incident and did not receiving formal findings, the UOFRB recommended, and the Chief concurred, that he would benefit from attending the Tactical Debrief. Therefore, the Chief directed that Sergeant Yzaguirre, along with Officers Luna and Nielson, attend a Tactical Debrief and that the specific identified topics are discussed,

**Note:** Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;



- Equipment Required/Maintained;
- Radio and Tactical Communication (including Code Six);
- Tactical Planning;
- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.

### General Training Update (GTU)

- On April 25, 2019, Officers Luna and Nielson attended a GTU. All mandatory topics were covered, including Reverence for Human Life and Force Option Simulator.

### Drawing/Exhibiting

- Department policy relative to drawing and exhibiting a firearm is: *“An officer’s decision to draw or exhibit a firearm should be based on the tactical situation and the officer’s reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified” (Los Angeles Police Department Manual, Volume No. 1, Section 556.80).*

According to Officer Luna, Crawford immediately brought his backpack forward, simultaneously stating *“I’m going to shoot you. I’m going to kill you.”* Crawford then began working the zipper of the backpack. Officer Luna ordered Crawford to drop the backpack. Officer Luna feared for his safety and that of his partner. Officer Luna drew his service pistol because he believed that Crawford was going to pull something from within his backpack or person and shoot the officers.

Officer Luna recalled, *“...He immediately brought his backpack forward, and I mean, simultaneously he’s bringing his backpack forward and telling us, ‘I’m going to shoot you. I’m going to kill you.’... He started working the zipper on the backpack... When - - as soon as he started saying that, like, ‘I’m going to shoot you. I’m going to shoot you. I’m going to kill you guys,’ at that point that’s when I started pulling my firearm.”*<sup>47</sup>

*Believing that I feared for my safety and my partner’s safety. That he was actually going to pull something from within the backpack or within his person and actually continue to act with what he has told us, that he was going to shoot us and kill us.*<sup>48</sup>

According to Officer Nielson, he observed that Crawford swung his backpack in front of his body and reached inside with his *right hand* while *cradling* the *bottom* of the *backpack* with his *left hand*. Officer Nielson heard Crawford state that he was going to *shoot Officer Luna*. Officer Nielson believed that Crawford was *arming himself*.

<sup>47</sup> Officer Luna, Page 11, Lines 13-16, and Page 47, Lines 3-6.

<sup>48</sup> Officer Luna, Page 47, Lines 10-14.



*Fearful that the tactical situation was going to escalate to use of deadly force, Officer Nielson threw his side handle baton into the planter and drew his service pistol.*

*Officer Nielson recalled, "As soon as the suspect stopped like I said he - - he squared his upper body up to - - to Officer Luna. He took a black and red backpack off of his back and swung it up and with his left hand was cradling underneath the backup and with his right hand he stuck it into - - he unzipped [sic] and stuck his hand into the top of the backpack. I still had my PR-24 in my hand. That was the point where I felt that the suspect was arming himself, so I threw my PR-24 into that planter I was just describing and went to draw my pistol."<sup>49</sup>*

*And - - I'm sorry, right before that when - -when the suspect had squared up and - - and started retracting the - - the shotgun out of his backpack he told Officer Luna, I forget the exact quote but something - -something to the effect of yeah, I'm going to shoot you or yeah, I'm going to shoot you motherfucker... I unholstered because the tactical situation had escalated to the use of deadly force or I was fearful it was going to escalate to the use of deadly force."<sup>50</sup>*

In this case, the UOFRB conducted a thorough review in evaluating the reasonableness of Officers Luna and Nielson's Drawing/Exhibiting. The UOFRB noted that both officers heard Crawford's statement about his intent to shoot them as he armed himself with a shotgun.

As such, based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Officers Luna and Nielson, while faced with similar circumstances, would reasonably believe that there was a substantial risk the situation may escalate to the point where deadly force may be justified.

Therefore, the Chief found Officers Luna and Nielson's Drawing/Exhibiting to be In Policy, No Further Action.

**Note:** In addition to the above listed employees, there were additional personnel that either drew or exhibited firearms during the incident. This Drawing/Exhibiting was appropriate and requires no specific findings or action in regard to these officers.

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<sup>49</sup> Officer Nielson, Page 9, Lines 20-25, and Page 10, Lines 1-4.

<sup>50</sup> Officer Nielson, Page 10, Lines 9-14, and Page 28, Lines 12-14.



## **Use of Force – General<sup>51</sup>**

- *It is the policy of this Department that personnel may use only that force which is “objectively reasonable” to:*
  - *Defend themselves;*
  - *Defend others;*
  - *Effect an arrest or detention;*
  - *Prevent escape; or,*
  - *Overcome resistance (Los Angeles Police Department Manual, Volume 1, Section 556.10).*

*The Department examines reasonableness using Graham v. Connor and from the articulated facts from the perspective of a Los Angeles Police Officer with similar training and experience placed in generally the same set of circumstances. In determining the appropriate level of force, officers shall evaluate each situation in light of facts and circumstances of each particular case. Those factors may include, but are not limited to:*

- *The seriousness of the crime or suspected offense;*
- *The level of threat or resistance presented by the subject;*
- *Whether the subject was posing an immediate threat to officers or a danger to the community;*
- *The potential for injury to citizens, officers or subjects;*
- *The risk or apparent attempt by the subject to escape;*
- *The conduct of the subject being confronted (as reasonably perceived by the officer at the time);*
- *The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable;*
- *The availability of other resources;*
- *The training and experience of the officer;*
- *The proximity or access of weapons to the subject;*
- *Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number officers versus subjects; and,*
- *The environmental factors and/or other exigent circumstances. (Los Angeles Police Department Manual, Volume 1, Section 556.10)*

## **Lethal Use of Force**

- *Law enforcement officers are authorized to use deadly force to:*

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<sup>51</sup> Special Order No. 4, 2020 – Policy on the Use of Force - Revised, was adopted by the Department on February 5, 2020, after this incident occurred.

- *Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or,*
  - *Prevent a crime where the subject's actions place person(s) in imminent jeopardy of death or serious bodily injury; or,*
  - *Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury (Los Angeles Police Department Manual, Volume No.1, Section 556.10).*
- **Officer Luna** – .45 caliber, seven rounds in two volleys, in an easterly direction from approximate increasing distance of 25 to 30 feet.

**First Volley** – Three to four rounds.

According to Officer Luna, Crawford removed the shotgun from his backpack and pointed it in his direction. Crawford held the shotgun at waist level and tracked Officer Luna's movement with the shotgun. Officer Luna believed Crawford's shotgun was going to go off any split second. In fear for his life, Officer Luna fired three to four rounds from his service pistol as he moved southbound to cover behind a planter.

Officer Luna recalled, "*So, as he started manipulating the backpack reaching for that shotgun from inside his - - from within his backpack, I started moving towards the side of the planter. And that's when he pulled it out, pointed it - - and started pointing it in our direction, brought it up, pointed in our direction. And that's when I shot, like, three or four had [sic] shots on the move.*"<sup>52</sup> *And he stood there, and that's when he was aiming it as I was moving, he's like, you know, I saw him tracking me as he - - as he was pulling it out. Like, he was able to see him, like, coming in my direction with it.*"<sup>53</sup> *I believe - - I feared for my life. I thought - - I was expecting that shotgun to go off any split second.*"<sup>54</sup>

**Second Volley** – Three to four rounds.

According to Officer Luna, he moved to cover and crouched by the planter at knee level. Officer Luna observed Crawford moving backwards, but Crawford remained upright and did not fall or drop the shotgun. Officer Luna believed that Crawford was possibly wearing a ballistic vest. Officer Luna fired an additional three to four rounds from his service pistol to stop Crawford's deadly actions. Officer Luna assessed as he fired, firing his final round aimed at Crawford's head.

<sup>52</sup> Officer Luna, Page 12, Lines 3-10.

<sup>53</sup> Officer Luna, Page 51, Lines 8-12.

<sup>54</sup> Officer Luna, Page 49, Lines 23-25



Officer Luna recalled, *"Got myself to the planter. And then he was still coming down with the shotgun, and I shot an additional three to four shots.<sup>55</sup> I didn't know if, you know, if he had some sort of ballistic, you know, vest. Because like I said, his body - - the reaction that I got was him going - - his body going backwards, but he wasn't - - he didn't fall. He didn't fall, so he was still upright and the shotgun, so I figure, you know, immediately when I assess, like I said, the assessment was quick. I went back again to center mass, chest level to shoot again, and then my last shot I went to the head."<sup>56</sup>*

- **Officer Nielson** – 9mm, seven rounds in two volleys, in an easterly direction from an approximate decreasing distance of 25 to 30 feet.

**First Volley** – Three to five rounds.

According to Officer Nielson, Crawford began to pull the pistol grip of a sawed-off shotgun from out of his backpack. Officer Nielson recalled he or Officer Luna stating, "Gun." Simultaneously, Crawford raised the backpack and pointed it at Officer Luna. Officer Nielson was in fear that Crawford was going to fire the partially concealed shotgun from inside the backpack. To protect Officer Luna, and citizens in Officer Luna's background from serious bodily injury or death, Officer Nielson fired three to five rounds at Crawford from his service pistol.

Officer Nielson recalled, *"So, I was very concerned that he wasn't actually going to take the shotgun out of the bag. He was just going to fire it from that position because basically he was pointing the entire bag at Officer Luna. That's when I decided that Officer Luna was in jeopardy of serious body injury or death. There was also a hotel that was off to my right shoulder and there was lots of people probably in that intersection and behind me there was a lot of people. I mean maybe 50 or 100 people in that vicinity. It was maybe two o'clock in the afternoon on a Sunday. I had just driven over from Union Station, so the traffic was very heavy. There was tons peds out, so I was very concerned that if he - - if he fired that shotgun not only would Officer Luna be in extreme danger of being shot but also any of those people behind Officer Luna. I - - I don't know if it's like a valet or a drop off or something behind that - - that hotel but I was - - I was very concerned about all the people there so I decided that I had to fire at the suspect to stop his actions. I fired approximately three to five rounds at him."<sup>57</sup>*

*It looked like the rear section, the rear receiver of a shotgun and a - - just a pistol grip. And as soon as I saw that I was - - and him put his right hand on it I was fearful*

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<sup>55</sup> Officer Luna, Page 12, Lines 10-12.

<sup>56</sup> Officer Luna, Page 81, Lines 16-24.

<sup>57</sup> Officer Nielson, Page 10, Line 25, and Page 11, Lines 1-20.



*that he was going to fire from inside that backpack.<sup>58</sup> ...so he had it up. It was pointed directly at Officer Luna.<sup>59</sup> I saw his hand go to the pistol grip and that's - - that's when I decided I had to fire.<sup>60</sup>*

## **Second Volley – Two to three rounds.**

According to Officer Nielson, he observed Crawford now in a seated position with his back resting against the north side of the alcove. Crawford held the backpack on his lap and held the shotgun with his left hand while his legs were extended in front of him. The officers communicated with Crawford again. Crawford looked towards Officer Luna's position and began to bring the shotgun up again. Officer Nielson fired an additional two to three rounds slower while assessing Crawford's actions. Officer Nielson fired at Crawford to prevent him from firing at Officer Luna or any bystanders.

*Officer Nielson recalled, "The suspect backed into the corner of the alcove, so I guess the far northeast corner of the alcove and then I don't know if he fell down or just went into a seated position. I wasn't - - unable to see because a piece of - - the corner of the alcove obstructed my view and had been shattered about by gunfire so I couldn't see... Officer Luna it looked like he was taking cover by another planter that was south of my location, so I repositioned myself southbound to get eyes on the suspect. As soon as I saw him again, he was - - he was just in a seated position on his - - on his butt with his back leaned up against the north wall of the alcove. He - - he had the - - the backpack on his lap and he had his left hand down holding the shotgun. We - - we communicated with him again. At that point he looked up, looked directly at where Officer Luna was by the - - the second planter and I could see his left hand starting to raise the shotgun so I fired an additional two to three rounds at him to stop him from - - from firing at Officer Luna or firing at anybody to on the west side of - - of Hope, because, there's like I said, numerous people that were out. After I fired those - - the last two or three rounds I saw the suspect's action stop. After the suspect stopped his actions, I saw his - - his - - his head slightly drop and I saw his left hand slightly drop so I was still holding at gunpoint assessing his actions."<sup>61</sup>*

In this case, the UOFRB conducted a thorough review of the investigation and considered several factors in evaluating the reasonableness of both officers' use of lethal force. The UOFRB noted that this was a dynamic and rapidly unfolding incident. Both officers were forced to make a split-second decision to protect themselves and nearby citizens from the deadly threat of Crawford who was armed

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<sup>58</sup> Officer Nielson, Page 29, Lines 20-23.

<sup>59</sup> Officer Nielson, Page 31, Lines 15-16.

<sup>60</sup> Officer Nielson, Page 30, Lines 1-2.

<sup>61</sup> Officer Nielson, Page 11, Lines 21-25, and Page 12, Lines 1-23.



with a shotgun. Officer Luna perceived that Crawford was armed with a shotgun and was pointing it at him, posing a deadly threat. Officer Nielson perceived that Crawford was going to discharge his shotgun at either Officer Luna or other citizens in the area, thus posing a deadly threat. Officer Nielson observed Crawford look at Officer Luna and begin to raise his shotgun at Officer Luna, thus posing a deadly threat.

As such, based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Officers Luna and Nielson, would reasonably believe that Crawford's actions presented an imminent threat of death or serious bodily injury and that the Use of Lethal Force would be objectively reasonable. Therefore, the Chief found Officers Luna and Nielson's Use of Lethal Force to be In Policy, No Further Action.

### **Additional/Equipment**

- **Preservation of Evidence** – The investigation revealed that Officer J. Alvarado, Serial No. 37317, Hollenbeck Patrol Division, working TSD overtime, moved the shotgun prior to the arrival of FID investigators. Officer Alvarado then gave the shotgun to Officer Heistermann, Serial No. 40755, Central Patrol Division, to render it safe. Officer Heistermann removed the shotgun shells from the barrel and handed it back to Officer Alvarado. Officer Alvarado then removed his latex glove and placed the two live shotgun rounds inside of the used glove. Officer Heistermann then removed one of his latex gloves and placed it between the barrel and the receiver of the shotgun. Officer Alvarado secured the shotgun in the trunk of the police vehicle assigned to Sergeant M. Lopez, Serial No. 37047, North Hollywood Patrol Division, working TSD overtime. Additionally, Officer Alvarado searched Crawford's backpack after the canopy was placed up and the crime scene was cordoned off.<sup>62</sup>

Sergeant Medina was in the vicinity when the above activities occurred. Although the Chief's expectation would have been for Sergeant Medina to have ensured the officers had clear direction and guidance in the preservation of evidence, Sergeant Medina's attention was directed towards the on-going tactical incident related to Crawford.

Captain S. Monico, Serial No. 30364, Commanding Officer, Hollenbeck Patrol Division, was advised and addressed the issues pertaining to Officer Alvarado. He was provided with informal counseling on the topics of preservation of evidence. Additionally, a Supervisory Action Item (SAI) was generated to document the incident into the Learning Management System (LMS). The Commanding Officer of Operations-Central Bureau (OCB) and the Director of the Office of Operations (OO)

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<sup>62</sup> In July 2019, the Department published Training Bulletin, Preservation of Evidence Categorical Use of Force Incidents, Volume XLVIII, Issue 4, in direct response to similar occurrences. The bulletin provides guidance to officers and directs them not to handle evidence or manipulate weapons at the scene of a critical incident, absent of exigency.



concurred with this action and, as such, the Chief deemed no further action is necessary.

Captain Harrelson, Serial No. 32090, Commanding Officer, Central Patrol Division, was advised of the issues regarding Officer Heistermann, which he addressed through divisional training, documented within LMS. The Commanding Officer of OCB and the Director of OO concurred with this action and as such the Chief deemed no further action is necessary.

- **Profanity** – The investigation revealed that Officer Carrillo used profanity while ordering Crawford to not move while being taken into custody. Additionally, Officer Alvarado used profanity during the incident; however, it was not directed at Crawford. Captain K. Meek, Serial No. 24002, Commanding Officer, ESD, was advised of Officer Carrillo's use of profanity and addressed this issue through the issuance of a comment card. The Commanding Officer of Counter Terrorism Special Operations Bureau (CTSOB) and the Director of the Office of Special Operations (OSO) concurred with this action. As such, the Chief deemed no further action is necessary.
- **Supervisor Log Discrepancies** – The investigation revealed that Sergeant B. Eldridge, Serial No. 32071, TSD, had minor discrepancies in his supervisor log regarding times and locations for the separation and monitoring of Officers Luna and Nielson. The investigation also revealed that Sergeant A. White, Serial No. 27743, TSD, had a supervisor log with an incorrect date. Captain B. Pratt, Serial No. 26414, Commanding Officer, TSD, was advised and addressed these issues through informal counseling. The Commanding Officer of Transit Services Group (TSG) and the Director of OSO concurred with this action. As such, the Chief deemed no further action is necessary.

The investigation revealed that Detective R. Garret, Serial No. 34491, Foothill Patrol Division, had minor discrepancies in his supervisor log regarding the times for monitoring Officer Nielson. Captain B. Wendling, Serial No. 26929, Commanding Officer, Foothill Patrol Division, was advised and addressed this issue through informal counseling. The Commanding Officer of Operations-Valley Bureau (OVB) and the Director of OO concurred with this action. As such, the Chief deemed no further action is necessary.

**Body Worn Video (BWV) Activation** – The investigation revealed that Officers Heistermann, J. Lopez, Serial No. 37646, B. Liu, Serial No. 42407, and G. Ibanez, Serial No. 37695, Central Patrol Division, did not appropriately activate their BWVs.

Officer Heistermann had his BWV powered off. He then powered on his BWV, and attempted to activate his BWV, but the BWV device did not activate. Officer Heistermann later, realizing his BWV was not recording, activated his BWV. The activation occurred after he had already removed the shot shells from Crawford's shotgun and resulting in a late BWV activation. Officer Lopez activated his BWV



late, approximately one minute after he arrived at the location of the incident. Officers Liu and Ibanez both had their BWV devices powered off and when powered on and activated, had a short buffer of 12 seconds and 13 seconds, respectively.

Captain Harrelson was notified and conducted an analysis of each officer's prior activations of BWV. Captain Harrelson determined that the involved officers did not have a previous history of late activations or short buffers related to BWV. Captain Harrelson addressed these issues through the creation of a Supervisory Action Item (SAI) for each of the above listed officers. The Commanding Officer of OCB and the Director of OO concurred with this action. As such, the Chief deemed no further action is necessary.

### **Audio/Video Recordings**

- **Digital In-Car Video System (DICVS)/Body Worn Video (BWV)** – TSD officers assigned to overtime details were not equipped with BWV or DICV at the time of the incident.

Responding officers from Central Patrol Division, Rampart Patrol Division, and Metropolitan Division were equipped with DICV and BWV; however, none captured the OIS.

The Department has obtained a grant to fund BWV devices, as well as the associated docks and cell phones, to be utilized by personnel assigned to TSD overtime details. Currently, the installation of the supporting hardware is in progress. The implementation of BWV for full time TSD personnel is anticipated to be initiated in May of 2020. Transit Services Group (TSG) is coordinating a working group to determine any modifications to Department policy which may be required, in addition to developing the logistical coordination plan required to deploy BWV on personnel assigned to TSD overtime details.

- **Outside Video** – Several security cameras captured Crawford's and the officers' movements prior to the OIS. Only a portion of the OIS, however, was captured.

### **Chief's Direction**

- In order to enhance future performance and to clarify the Department's policy regarding the preservation of evidence at a critical incident, the Chief has advised the Director of Personnel and Training Bureau (PTB) to work with FID to develop a training video regarding the preservation of evidence at a critical incident. On January 8, 2020, Training Division (TD) initiated the video project in collaboration with FID. The video is anticipated to be released in March of 2020.



## **INSPECTOR GENERAL REVIEW**

### **Inspector General Analysis**

#### **Investigation Quality**

- No significant issues of concern were identified in relation to investigation quality.

#### **Training Issues**

- No significant issues of concern were identified in relation to training.

#### **Equipment Issues**

- No significant issues of concern were identified in relation to equipment.

#### **Detention**

- The OIG concurs with the Chief's analysis.

#### **Tactical De-escalation**

- The OIG concurs with the Chief's analysis regarding Officers Luna and Nielsons' performance in relation to Planning and Redeployment and/or Containment. The OIG further notes that the officers did not adequately conduct an assessment of the situation once they had received information regarding Crawford's possible presence in their vicinity, or once they had located Crawford. Nor did the officers adequately make use of available time prior to their encounter with Crawford. The officers did not make any attempt to request the assistance of additional resources prior to the OIS, nor did they communicate in any other fashion with other officers until after the OIS had occurred. In these regards, the officers' performance did not comport with the expectations established by Department training regarding De-Escalation.

### **Inspector General Recommendations**

#### **Tactics**

- The OIG concurs with the Chief's findings for Officers Luna and Nielson. *The OIG additionally recommends a finding of Tactical Debrief for Sergeant Yzaguirre.*
- The OIG noted the significant impact of decisions made by Sergeant Yzaguirre in relation to his communications with others following his receipt of information indicating Crawford's possible location. Although the Chief's report references this issue under the heading of Additional Tactical Debrief Topics – Notification Protocol, the report does not recommend any findings for Sergeant Yzaguirre. As described below, Sergeant Yzaguirre's role in this incident meets the definition of a



“substantially involved” employee and, as such, a finding regarding his performance in connection with this incident is warranted.

Department policy defining a substantially involved employee states, “*The term ‘substantially involved’ includes the employee(s) applying force or who had a significant tactical or decision making role in the incident.*” (Los Angeles Police Department Manual, Volume 3, Section 792.05.)

Sergeant Yzaguirre was a supervisor for the Crime Impact Team and had been actively working the investigation to locate and arrest Crawford. He had assumed responsibility for receiving ping notifications that indicated the location of Crawford’s cellular phone. Sergeant Yzaguirre also had significant pre-existing knowledge of the crimes for which Crawford was wanted. He knew that Crawford’s history of serious criminal activity presented significant concern for the safety of the community and for the safety of officers who might come into contact with him.

Sergeant Yzaguirre’s actions relative to prior instances of receiving pings from Crawford’s cellular phone significantly differed from the very limited action he took in the instant case. On April 11th, after the cellular phone ping warrant had been obtained, Sergeant Yzaguirre was advised that Crawford’s phone had pinged within a 1400-meter location radius range in Hollywood Division. Sergeant Yzaguirre assembled a team consisting of himself and nine other officers, along with a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) supervisor and four ATF agents, to try to locate Crawford. This 15-person team conducted an extensive grid search, covering an area of about one square mile, checking carports, apartments, shopping centers, and underground parking locations; the team was unsuccessful, however, and Crawford remained at-large.<sup>63</sup>

On April 13th, Sergeant Yzaguirre, while off-duty, received another ping notification indicating that Crawford’s phone was within a 1000 to 1400-meter location radius range in the downtown area. He contacted his supervisor, Captain Valenzuela, and reminded him about the ongoing Crawford investigation. Sergeant Yzaguirre told Captain Valenzuela that he had developed a plan to use the crime suppression team to circle the area in an attempt to locate the suspect; if Crawford was located, the team would use “standard operating procedures,” call for a backup, get an airship en route, and call in extra resources. Sergeant Yzaguirre told Captain Valenzuela that he would only respond if they located Crawford. According to Sergeant Yzaguirre, the team he had assembled unsuccessfully checked the area for two to three hours before Crawford’s phone went dead.<sup>64</sup>

On April 14th, leading up to this OIS, Sergeant Yzaguirre received ping notifications with a 400-meter location radius range coming from the part of the downtown area that the sergeant described as “7<sup>th</sup> and Metro.” He subsequently told FID that these

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<sup>63</sup> Sergeant Yzaguirre’s statement, Page 10, Lines 2-17.

<sup>64</sup> Sergeant Yzaguirre’s statement, Page 14, Line 14 through Page 15, Line 4.



were the closest pings he had received while monitoring Crawford's cellular phone, and he stated, *"I thought I should at least warn somebody"*.<sup>65</sup>

Sergeant Yzaguirre sent out a group text to his CIT officers in order to see who was working overtime on the TSD detail. According to Sergeant Yzaguirre, no one returned the text; so he called Officer Jang, whom he knew regularly worked that overtime detail. Officer Jang told him that Officer Luna was working the TSD detail in the relevant area. Sergeant Yzaguirre contacted Officer Luna and told him, *"Hey, Jimmy, I want to warn you that I'm getting a ping in the area of where you're working. Out of concern that this guy could walk by you or people in the community here, you should know that the ping signals are coming up in your area. If you see him, you know, do what we've always talked about. Just, you know, get the backup, do all the normal protocols we use and whatever assignment you're on with the LAPD."*<sup>66</sup> Sergeant Yzaguirre sent a text to Officer Luna with photos of the suspect as well as other documentation about the investigation.

Sergeant Yzaguirre did not make any additional notifications about Crawford's possible presence in the area (for instance, to the Watch Commanders of Central Area or TSD), nor did he provide any direction that would cause efforts to be made to locate and apprehend Crawford or to warn other officers in the relevant area of the possible presence of a dangerous criminal suspect in their vicinity. In contrast, in each of the prior instances of ping notifications that Sergeant Yzaguirre described to FID, he had caused substantial operations to be initiated with the objective of locating and arresting Crawford, and he had made notifications to his chain-of-command about his knowledge of Crawford's possible location.

As a supervisor involved in an ongoing effort to locate and arrest Crawford, and having received real-time information indicating Crawford's possible location, the decisions made by Sergeant Yzaguirre as to how and to whom that information would be communicated significantly impacted the manner in which this incident ultimately unfolded. Similarly, Sergeant Yzaguirre's decision-making as to any direction, or lack thereof, regarding what steps should be taken to locate and arrest Crawford, as well as to warn other officers in the vicinity about Crawford's potential presence, were highly consequential in determining the nature of the police response that would result in this instance. As such, Sergeant Yzaguirre's decision-making role in connection with this incident was significant. Sergeant Yzaguirre's failure to appropriately communicate critical information regarding the location of a dangerous criminal suspect contributed to Officers Luna and Nielsons' tactical disadvantage during their subsequent confrontation with Crawford. Additionally, the inadequate manner in which Sergeant Yzaguirre communicated information about Crawford's potential location failed to provide for the safety of the public and of other officers working in the vicinity of where Crawford was believed to be.

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<sup>65</sup> Sergeant Yzaguirre's statement, Page 15, Lines 24-25.

<sup>66</sup> Sergeant Yzaguirre's statement, Page 16, Lines 7-15.



The result of Sergeant Yzaguirre's failure to notify the Central or TSD Commands of Crawford's possible presence, or to direct that such notification be made, combined with the lack of communication on the part of Officers Luna and Nielson, was that neither of those commands nor their officers were aware of the situation involving Crawford until after the OIS had occurred. As such, there was no coordination whatsoever with those commands and their resources in an effort to locate and arrest Crawford, nor was there an opportunity provided to those commands to make their personnel aware of the situation in furtherance of officer and public safety and in order to ensure an appropriate tactical response. Although the circumstances of Sergeant Yzaguirre's involvement in this case are not specifically addressed by Department tactical training, the OIG recommends that the Commission make a finding of Tactical Debrief for Sergeant Yzaguirre to reflect his substantial involvement in the incident. The OIG further recommends that the above-described issues be addressed with Sergeant Yzaguirre during the Tactical Debrief.

### **Drawing/Exhibiting**

- The OIG concurs with the Chief's findings.

### **Lethal Use of Force**

- The OIG concurs with the Chief's findings.



Mark P. Smith  
Inspector General